The American Labor Legislation Review

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"PRODUCTION is a social process, a partnership between employers, workers and the community. Man does not produce as an abstract unit but only as a member of an increasingly complex group. The society of which he forms the unit cannot, therefore, disregard the conditions under which he works. The collectivity is interested in human happiness. If economic production and distribution, in themselves or because of their conditioning factors, restrict the freedom of the individual or his opportunities for happiness, society has both a right and a duty to intervene."—C. H. NORTHCOTT.

Squarely Up To Congress

THE most important legislative activities of the present year in the field of protective labor legislation have been centered in Congress. At this writing it is possible to report encouraging progress.

Outstanding among the measures up for action in 1926 is the Cummins-Graham bill to provide federal accident compensation for longshoremen and other harbor workers, covering those injuries which the United States Supreme Court insists are "maritime" and hence not compensable under state laws. Elsewhere in this REVIEW will be found an account of the progress made thus far toward passage of this bill. After full hearings and careful consideration, in which this Association continuously participated, the Judiciary committee of the House on May 6 voted a unanimously favorable report on the bill urging that it be "speedily" enacted into law, and following unanimously favorable action by the Senate Judiciary committee, the bill was passed by the Senate on June 3. With such impressive endorsement, this measure is now squarely up to Congress with urgent reasons for bringing it to final passage before adjournment.

In Congress, too, the House District committee has once more—despite strenuously renewed opposition of the commercial insurance lobby—submitted a report favoring passage of the Fitzgerald bill to provide accident compensation for wage-earners in private employments in the District of Columbia. The report appears on another page of this REVIEW. A bill increasing the maximum annuity under the federal employees' old age retirement act has passed in both houses with conference action now necessary to determine which maximum shall stand, the Senate $1,200 or the House $1,000. A bill to increase the rates of compensation of the existing federal employees' accident compensation law, in belated recognition of the increased cost of living, has received a favorable committee report. Legislation to give partial effect at least to the recommendations of the United States Coal Com-

mission, including the essential provision for a permanent federal fact-finding agency, is before both Houses with favorable committee reports and the endorsement of Secretary Hoover.

With only a fifth of the states holding legislative sessions this year, and reaction in evidence in many of these, nevertheless a substantial gain is to be found in the adoption by Kentucky of old age pension legislation and the creation by New York of an official commission to study old age dependency with a view to legislation. In the states opposition tactics took the form of extreme resort to delay—postponing votes on well-considered measures by ordering them to be "investigated"—as in New York with several desirable amendments to the workmen's compensation law and women's hour legislation; in New Jersey with the bill restricting night work for women, and in Massachusetts with a bill for a state fund for workmen's accident insurance. The only two bituminous states to hold sessions this year—Kentucky and Virginia—again failed to enact rock dusting laws to prevent mine disasters due to coal dust explosions. Meanwhile the list of substantial coal companies adopting the rock dust safeguard has grown to one hundred and fifty, with special commendation due to West Virginia for the activity of her companies in this respect during the past year.

Newer problems of accident prevention, arising particularly out of the marked increase in industrial accidents in recent years, are discussed by capable writers in this number of the REVIEW. A feature of this timely symposium is the general agreement shown in the value of workmen's compensation laws as a stimulus to accident prevention.

JOHN B. ANDREWS, *Secretary*,
American Association for Labor Legislation.

Legislative Notes

REFERENCE has been made in these pages from time to time of pitfalls that lie in the way of labor legislation. Consider this: the lawyers who codified the laws of Texas **left out an entire provision of the workmen's compensation law** defining conclusive permanent total incapacity. This serious omission cannot be remedied without legislative action. Unless a special session is called the next legislature will meet in January, 1927.

◇

THE *Monthly Labor Review* of the federal Department of Labor for April, 1926, contains an article by Lindley D. Clark of the United States Bureau of Labor Statistics on **"The Longshoremen and Accident Compensation"** which is an interesting and valuable contribution to the problem now before Congress in its consideration of the Cummins-Graham bill to provide federal accident compensation for longshoremen and other harbor workers—a bill which has just passed in the Senate and which the House Judiciary committee unanimously urges should be "speedily enacted into law."

◇

THE American Engineering Council, stirred by the continued **increase in industrial accidents**, is preparing to carry on the safety movement on a more comprehensive scale, according to an announcement of May 23.

A RECENT letter to the American Association for Labor Legislation expresses "enthusiastic congratulations for the uncompromising way you attack such evils as **unnecessary dangers in coal mines.**"

◇

GOVERNOR SMITH of New York recently upheld the **one-day-of-rest-in-seven law** against an attempt by a reactionary legislature to undermine it. He vetoed on May 5 a bill which sought by law to exempt ice plants from the provisions of the weekly rest day act. The governor pointed out that the act itself "provides that where there are any practical difficulties or unnecessary hardships in carrying out the provisions of the one-day-of-rest-in-seven act, the Industrial Board may make a variation therefrom, if the spirit of the act be observed and substantial justice done.

◇

THE need for a constructive survey of federal-state cooperation in the **vocational rehabilitation of industrial cripples** was discussed in the December, 1925, number of this REVIEW. Concrete results of actual

operation are the best justification of federal aid. They are also the necessary basis for determining what, if anything, still remains to be done to bring legislation and administration up to a uniformly high level of effectiveness. The value of such a survey is shown in reports of the Children's Bureau on developments in federal-state cooperation in maternity and infancy protection. Investigation and publication of state activities, showing methods that have been found to work successfully, has aided in raising the standards of the service. Now that vocational rehabilitation is just getting into its stride, a sympathetic survey will be most helpful in shaping this important work properly at the outset.

◇

AN amended **retirement bill** for employees of the federal government that raises the existing $720 maximum annuity to $1,000 and increases employees' contributions to the fund from 2½ per cent to 3½ per cent of their salary passed May 17 in the House of Representatives. This Lehlbach bill, favored by the federal employees and labor and social service organizations, called for a $1,200 maximum annuity but proponents of the bill finally agreed to $1,000 because "it is this or nothing" at the present session of Congress. On May 20 the Senate passed its own bill by substituting S.786 as an amendment to the House bill. Since the Senate bill calls for a $1,200 maximum, the bills must now go to conference.

◇

CONGRESS, in passing the public buildings bill on May 17 appropriating $165,000,000 for six years, failed to include a provision applying the principle of **long-range planning of public works** to aid in stabilizing employment. As stated on these pages in March, the present Administration is on record in favor of advance-planning "in principle," but is not willing, it appears, to exert itself to have the principle put to work in a specific measure.

◇

IN the Massachusetts legislature the Pension committee has voted to postpone for another year any action on **old age pension legislation**, despite a strongly favorable report by an official commission which for two years studied the needs of aged dependents. Again the obstructive tactics of the opposition—noted on these pages in March—have succeeded in further delaying the adoption of this much-needed and strongly supported measure.

◇

A SPECIAL legislative commission has been created in Massachusetts to investigate the operation of the **workmen's compensation law** and recommend necessary or desirable changes.

A MEMORIAL service was held February 20 at Sullivan, Indiana, for the fifty-one miners who were killed in a **coal mine explosion** a year ago. Business in the city was suspended and people from all walks of life attended the exercises. The meeting was a sad reminder that the Indiana legislature has failed in its duty to prevent similar mine tragedies. It had an opportunity immediately after the Sullivan explosion to pass a bill requiring the rock dusting of mines to prevent coal dust explosions, but the essential feature of the bill got "lost."

◇

A QUESTIONNAIRE has been sent out by the Pennsylvania State Old Age Commission to more than one thousand representative citizens asking for suggestions as to the most acceptable form for a statewide **old age pension** plan. Under a non-contributory plan, it is stated, investigation in Pennsylvania has shown that for each person aging in a poor house three persons could be supported at home on a maximum of $1 a day.

◇

ONE county in Kentucky should find it easy to accept the provisions of the **old age pension law** enacted by the 1926 legislature. It is Nicholas county, which, according to a local report, is already giving a monthly allowance from the county treasury to practically all aged needy persons. While the county owns a large poor farm and house, it is said, it has been found cheaper to give aged dependents a small allowance.

◇

A STUDY of **industrial accidents to minors** in three states, recently made by the federal Children's Bureau, shows that accidents were proportionately most numerous and most serious in the case of boys and girls 16 and 17 years old, this group being less adequately protected by law than younger children and less experienced and careful than the older ones. Over a third of the accidents were caused by machinery.

◇

A STUDY of injuries to children in the industries of Massachusetts for the year ending June 30, 1924, made under the direction of the commissioner of labor and industries, shows a marked **increase of fatal accidents to children in the sixteen- and seventeen-year class.** "The outstanding feature in the study of injuries during the twelve months included in this report," says the report, "is the fact that a very large number of accidents to minors is preventable."

◇

WISCONSIN'S law providing that employers pay **increased compensation for accidents to illegally employed minors** was invoked in fifty-seven cases during 1925. In fifty of these cases the injured child was employed without a labor permit and in seven the child was employed in prohibited work. One employer paid in cash over $5,500 extra compensation due to violation of the child labor law. More recently, April 29, 1926, the

Wisconsin Industrial Commission entered an award for treble compensation, amounting to more than $9,000 in the case of a boy who was permanently disabled while employed without a labor permit. The offending employer was ordered to pay $6,000 in addition to the amount—$3,000—paid by the insurance carrier.

◇

In the New York *World* of May 7 appeared the announcement of the engagement of Miss Helen Everett, formerly a member of the staff of the American Association for Labor Legislation, to Dr. Alexander Meiklejohn, now Brittingham professor of philosophy at the University of Wisconsin and formerly president of Amherst. Miss Everett received her doctor's degree from the Robert Brookings Graduate School of Economics and Politics and for the past two years has been a member of the staff of the Institute of Economics in Washington.

◇

A press bulletin of the National League of Women Voters, May 12, announces that Irene Sylvester Chubb of St. Louis is the new chairman of the League's **women-in-industry committee.** "In her college work," says the announcement, "Mrs. Chubb specialized in subjects relating to public and social welfare, and for ten years was identified with the American Association for Labor Legislation."

◇

Recommendations for legislation recently presented to the Canadian government by a delegation from the Trades and Labor Congress of Canada, headed by President Tom Moore, include the creation of a system of **unemployment insurance** and **old age pensions.**

◇

In Canada the Government is introducing an **old age pension bill** providing a maximum pension of $240 a year, subject to reduction by the amount of the pensioner's income in excess of $125 a year, for persons 70 years old who have resided in Canada for 20 years. The plan is for federal-state cooperation, with the Dominion sharing equally the cost of the pensions with all provinces accepting the federal measure.

◇

In Pennsylvania the Scranton Central Labor Union, representing 38 organizations, on April 21 withdrew its endorsement of Governor Gifford Pinchot as candidate for United States Senator, on the ground that the governor had refused to submit an amendment to liberalize the **workmen's compensation law** at the recent session of the legislature.

◇

Representatives of the National Women's Trade Union League, the American Federation of Labor, and the National League of Women Voters have withdrawn from the Advisory Committee to the Women's Bureau of the United States Department of Labor—an unofficial group

of six women, representing opposite points of view, who were invited by the director of the Bureau to consult with her in regard to a pending investigation by the Bureau into the effects of special **laws regulating the employment of women.** These members withdrew because, they charged, the other three members (who represent the National Woman's Party and are opposed to special protective laws for working women) attempted to coerce a federal bureau by political pressure and because their "impossible demands and lack of good faith make further conference useless." The question at issue, according to the representative of the National Women's Trade Union League, "is whether to have a real, fact-finding study, by experts, of a vital industrial problem affecting millions of working women, or to have a propaganda and publicity campaign for the Woman's Party, which does not represent working women at all."

◇

It has been estimated by the manager of the National Bureau of Casualty and Surety Underwriters that the amount **paid out in workmen's accident compensation** in the United States annually amounts to not less than $200,000,000.

◇

In the single month of January, 1926, **coal mine accidents** caused the death of 318 men. All but 3 of the fatalities occurred at bituminous mines. Four major disasters due to coal dust explosions in this month were responsible for 142 deaths.

◇

John T. Taheny, deputy counsel of the California **state fund for workmen's accident insurance**, has been "loaned" to the Arizona industrial commission to assist in the organization of the newly created state fund of that state.

◇

Special credit is due to the Fraternal Order of Eagles for its assistance in bringing about the enactment by Kentucky of an **old age pension law** and for stimulating the creation of a legislative commission in New York to study the problem of old age dependency with a view to legislation. Under the leadership of Frank E. Hering, the Eagles have entered effectively into the campaign for more humane treatment of the aged poor. In Kentucky, too, efforts of the United Mine Workers in the past aided in laying the groundwork for the victory of old age pension legislation in the 1926 session.

◇

At the **Thirteenth Annual Convention of the Association of Governmental Labor Officials of the United States and Canada,** to be held at Columbus, Ohio, June 7-10, 1926, questions relating to industrial standards of employment will be discussed, including accident prevention in bituminous coal mines.

◇

"An increase in the number and range of **occupational diseases** is rapidly taking place," according to a study of "Occupational Diseases

Reported to the Ohio State Department of Health for the Five-Year Period Ending June 30, 1925," which appears in the *Journal of Industrial Hygiene* for April. The authors—Dr. Emery R. Hayhurst, professor of hygiene, Ohio State University and consultant in industrial hygiene, Ohio State Department of Health, and Dr. Daniel J. Kindel, Chief of the division of industrial hygiene of the Ohio State Department of Health—present a statistical study of 3,226 cases of occupational diseases reported to the state health department during the period covered, grouping them by sex, cause, industries and trade processes, and compensability under the workmen's compensation law.

◇

A BILL to create a **division of safety** in the federal Bureau of Labor Statistics, introduced in Congress by Senator Shortridge and Congressman Rathbone, was favorably reported by the House Labor committee on May 21. The division would collect and analyze statistics of industrial accidents, make general and special studies of labor safety plans and devices, and "study all phases of the subject of occupational hazards and disease and their prevention."

◇

REV. DR. S. PARKES CADMAN, an eminent divine who conducts a newspaper column of "daily counsel," was recently questioned by a reader about "California's law" providing **old age pensions.** He replied: "California has to do something to offset the boom of her eastern rival, Florida. * * * It is now claimed that Florida is angling for rich old people instead of building industries or encouraging the needy. So California offers a pension for the poor old folk and becomes a pioneer among our American commonwealths in her gracious recognition of the rights of the aged." Reverend Cadman's fanciful explanation of the old age pension movement in America thins out to nothing in face of the fact that California has no old age pension law. And preachers get paid for spreading such nonsense!

◇

AN increasing number industrial accidents in the Carolinas is indicated in an article demonstrating the need of **workmen's compensation** in North and South Carolina by William H. Wicker and Robert A. McPheeters in the April number of *The North Carolina Law Review.* The sentiment of manufacturers in South Carolina appears to favor workmen's compensation in lieu of the existing system of employers' liability, the inadequacy of which is convincingly pointed out. Mr. Wicker's solution is a compulsory compensation act as an exclusive remedy for industrial injuries with payments secured with an exclusive state fund which also will bear administrative costs—the act to be administered by a commission.

◇

CONTINUED achievement is shown in the annual report for 1925 of the **New York state fund for workmen's accident insurance.** "The outstanding fact," says the report, "is that during a period of eleven and one-half

years, the state fund has saved its policyholders over $10,000,000 by advance reduction in cost, supplemented by annual dividends which are being consistently maintained. The customary dividend of 15 per cent has just been declared, payable during 1926. Consequently the state fund net cost continues to be 27¾ per cent lower than that of the stock companies." The number of employers insuring in the state fund increased by 1,647 bringing the total to more than 15,000. Resources of the fund are over $10,000,000 and the total income for the year on account of earned premiums and interest was $4,710,389.43. The state fund is relatively free from the evil of the cancellation of policies. "A very insignificant number of employers, once insured in the state fund, can be persuaded to leave it to insure elsewhere."

◇

An order of the Industrial Welfare Commission of California, effective March 16, indicates that the commission is continuing at least in part its function as a minimum wage board despite adverse decisions by the courts with regard to the **minimum wage** laws of other states. Though not actually naming a wage rate, the order applies to all women and minors in the motion-picture industry, prescribing working conditions, the standard working day (8 hours exclusive of meals), and proportionate rates for overtime. The employment of "extras" is regulated, and payment of at least one day's wage is required for such workers if they are called upon to try on and fit costumes whether or not employed; they are to be paid on the completion of each day's work.

◇

Senator Irvine L. Lenroot of Wisconsin in an address recently at the thirteenth annual dinner of the Association of Stock Exchange Firms in New York City said: "The word **'Wall Street'** is anathema to a good part of the population in my country. They are told that you control the Government and that the majority of Congress always hastens to do your bidding. But of all the other sins of which you are guilty, responsibility for the Congress of the United States is not one of them." "Amen!" sounded from a remote table.

◇

In the recent resignation of Warren H. Pillsbury as counsel of the California Industrial Commission the **public service** has lost an able labor law administrator. Mr. Pillsbury's father, A. J. Pillsbury, was a member of the accident compensation board from its beginning in California and withdrew only a few years ago.

◇

At the annual dinner recently of the **group insurance** division of the Metropolitan Life Insurance Company, President Haley Fiske said that "if we can get it into the minds of the working people, the wage-earners of this country," that they own their share of the nearly two billions of dollars of assets of the Metropolitan, "we shall have gone a long way toward teaching them something of the rights of property and the

necessity of protecting property, and incidentally of the necessity of protecting those institutions and corporations in which capital is invested." Second Vice-President James E. Kavanagh, in charge of group insurance, said: "There are in the country 3,000,000 workers covered under Group insurance by all the companies writing this type of insurance. There are over $4,000,000,000 of Group Life insurance in force now, and it has nearly all been placed within the last decade." And, he added: "This company is to-day really an institution for building up organized labor in America. We have no rivalry with the American Federation of Labor; we have no quarrel with them at all; but we believe that the best kind of union labor that can be found in this country is the union between the employer and the employee."

◇

A CALIFORNIA employer has been given a **jail sentence** of fifteen days for violating the state semi-monthly pay law, and an additional ten days in jail, or a $50 fine for violating the compulsory accident compensation insurance law.

◇

A TOTAL of $1,213,297 was paid out as workmen's accident compensation for the year 1924 by the **exclusive state fund of British Columbia.** This means that $97.11 out of every $100 collected in premiums goes to the relief of the injured workers and their dependents.

◇

J. V. W. REYNDERS, president of the American Institute of Mining and Metallurgical Engineers, and presiding officer of the Advisory Board to the United States Bureau of Mines, said in a recent address that an appropriation of $60,000,000, or ten cents per ton of coal mined, would not in the minds of most mining men be an expenditure too large for the promotion of **safety in mines.** Instead the Bureau receives barely one-half cent for every ton mined.

◇

"WE have to remember we are living under an industrial system that **needs criticism** all the time, and is safe only as it is criticised and progressively modified."—BISHOP FRANCIS J. MCCONNELL.

◇

THE British Government is urged by the iron and steel industry "to prohibit the importation of iron and steel from countries whose wage rates and hours of labor are below British standards." Such an appeal would be pointless, if Great Britain and other important industrial countries had **ratified the Washington international Draft Convention calling for the eight-hour day.**

◇

THE California State Compensation Insurance Fund is solvent and has a sufficient surplus on hand to guard against the effects of any catastrophe that may reasonably be expected to occur, according to the report of Brigadier-General S. H. Wolfe, New York insurance authority, who recently completed a thorough survey, in which he gave the Fund the

"acid test." General Wolfe paid particular attention to complaints which have from time to time been made to Insurance Commissioner Detrick by representatives of other carriers. These complaints were carefully checked and found to be without substantial merit. The Fund was established in 1914 with a premium income for that year of $547,000. The total amount of premiums written by the Fund has increased steadily every year and, in 1924, reached $5,807,000. Claim payments in 1924 were $3,274,986.02, and dividends paid to policy holders in that year amounted to $1,643,582.83. The Fund's total assets are $6,508,793.49, and there is a net surplus over and above all liabilities of $2,325,872.88. Year after year the **state funds for workmen's accident insurance** continue to make remarkable records of success.

◇

ACCIDENTS caused industry to charge off more than $1,000,000,000 due to 300,000,000 productive **working days lost** in 1925, according to a recent report of the National Safety Council.

◇

A SCIENTIFIC study of **occupational diseases** and methods of prevention will be undertaken by the University of Pittsburgh with the aid of a gift of $100,000 left in trust by the late John Bindley, steel manufacturer.

◇

GERMANY'S Reichstag on January 17 passed an amendment to the decree concerning unemployment relief which expands **unemployment insurance** to include the higher-paid classes of employees.

◇

AN agreement between Germany and Austria, January 8, provides for **equal treatment of the nationals** of both countries under social insurance legislation.

◇

PERMISSION has been refused by the Kansas Public Service Commission to the Cudahy Packing Company to establish a **night shift for women workers.** The recent decision of the state supreme court against fixing minimum wage rates for women did not affect the regulation of hours and working conditions.

◇

EXTENSION of the Quebec **minimum wage law,** which at present is limited to industrial employees, to include all women workers, is proposed by the minimum wage commission of the province following an investigation into the cost of living.

◇

DENMARK is meeting a great increase in unemployment by providing for **relief work** by the State, the municipalities or private institutions. Eight million kronen are to be applied to this end, so expended that in relief work which is recognized as such by the competent authorities, a grant of 3 kronen per day will be paid for each worker employed.

In Michigan the State Federation of Labor is preparing to press for the adoption of **unemployment insurance legislation** at the next session of the legislature. This is reported by *Insurance Field* as having "widespread significance, since it occurs at the same time that an investigation into the possibilities of unemployment insurance is being undertaken by the Brotherhood of Locomotive Engineers" and since the feasibility of unemployment insurance has already been proved by several organizations.

◇

A campaign is under way by the Presbyterian Church of the United States to raise $15,000,000 as a service pension fund for Presbyterian ministers, missionaries and educators. Secretary of the Treasury Mellon and Will H. Hays, former Postmaster General, are leading the drive. According to Mr. Hays, an **old age pension** plan will be established on insurance principles, providing a reasonably adequate pension for all servants of the church, based on the average salary paid over a period of thirty-five years. "This deferred compensation—for that is what it really means—will commence when the servant of the church reaches the age of sixty-five years, or before, at a slightly lower rate if he or she is disabled," said Mr. Hays. "Provision is also made for orphans and widows at a much higher rate."

◇

An insurance journal, the *National Underwriter,* remarks that "it is getting to be more and more difficult to secure compensation for the coal mines in southern Illinois." Insurance companies, it is claimed, have been "badly hit" in carrying **coal mining risks** for this region. If private companies fail to furnish insurance against accidents, the coal industry may see the advantages of establishing an exclusive state fund to provide most certainly and economically the protection that is required by the workmen's compensation law.

◇

Enactment of legislation compelling employers to carry accident compensation protection for their employees in a **state fund,** and eliminating private insurance companies as carriers, is urged by James H. Maurer, president of the Pennsylvania State Federation of Labor, in his annual report recently presented at the annual meeting of the Federation.

◇

Secretary of Labor Davis has called an **industrial accident prevention conference** to meet at Washington, July 14-16, 1926. Industrial accidents, the Secretary states, are at a conservative estimate responsible for more than 23,000 deaths a year and for 2,500,000 non-fatal injuries, with aggregate time lost placed at 227,169,970 days, and wages lost at a billion dollars. He added that fully 85 per cent of all industrial accidents were preventable, and that cooperation of all states and accident-reporting organizations would be sought "to the end that attention may be called not in general terms but by specific plans for the more general adoption of safety methods, which have been so successful in a few instances."

Senate Passes Accident Compensation Bill for Harbor Workers

"Speedy" Passage Urged by Judiciary Committee of House of Representatives

THE Cummins-Graham bill providing compensation for local harbor workers was passed by the Senate on June 3, following a unanimously favorable report by the Judiciary committee. The House Judiciary committee unanimously reported this legislation early in May with the request for a special rule to expedite its passage, and there is general appreciation of the serious situation that needs to be remedied by the enactment of legislation at this session of Congress.

This urgently needed measure extending compensation protection to a third of a million longshoremen and ship repairmen in extra-hazardous employment was introduced by the chairmen of the Judiciary committees on February 17 and 18. After extended public hearings before both committees, representatives of the ship owners and harbor workers were brought together by the American Association for Labor Legislation at the request of the chairman of the House Judiciary committee with the result that agreement was reached on over thirty disputed points in the bill.

Members of the Association for Labor Legislation will recall that this legislation was drafted after months of careful preparation and investigation. It is based in the main on the compensation law of New York, where the greater number of these workers are employed, and embodies the best features of existing compensation acts, being similar in many respects to the existing federal law for civilian employees. The tentative draft, completed in 1925, was revised before introduction to incorporate suggestions of compensation commissioners throughout the country who have unanimously approved this legislation. Its early enactment by Congress has been urged by thousands of voters representing not only labor, but employers and professional people familiar with the problem.

Congress twice before has voted to relieve these conditions by extending the jurisdiction of state compensation laws to these wage earners, but the United States Supreme Court has declared such a

remedy unconstitutional and that compensation to these maritime workers must be by a uniform federal law.[1] This is the remedy provided in the Cummins-Graham bill.

When this carefully considered and reasonable measure was introduced, the condition it seeks to remedy and a statement of its operation was presented briefly to every member of Congress. At the first hearing before the subcommittee of the Senate Committee on the Judiciary the situation facing these workers was fully described at the time the bill was discussed at length. Failure of opposing shipping employers to appear, who, nevertheless, wished to be heard, made necessary a second hearing on April 2—thus involving a delay of over two weeks. Delay tactics on the part of certain opposition interests, who have endeavored to whittle down the benefits to the point of inadequacy, have been exhibited from the beginning. Similar methods were in evidence on the House side when counsel for the shipping employers appeared for the first time before the House Judiciary committee at the second hearing on April 15.

It is amazing that lawyers representing maritime employers, while professing enthusiasm for the principle of workmen's accident compensation, should endeavor by delay and amendment to defeat this bill. At the request of the House committee the representative of the American Association for Labor Legislation called the proponents and opponents together in conference where the longshoremen, with a view to getting prompt action at this session of Congress made numerous concessions. The opposition conceded almost nothing—and yet, at the final hearing with the date of adjournment rapidly approaching, asked for further sweeping changes. Moreover, counsel for the shipping interests in filing with the committee a report of the conference in the form of an amended bill, failed to include certain vital provisions, the lack of which would have emasculated the legislation.

The House committee on May 6 unanimously voted to report the bill with the recommendation "that this humanitarian legislation be speedily enacted into law so that this class of workers, practically the only class without the benefit of workmen's compensation, may

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[1] See "Accident Compensation for Harbor Workers Urgently Awaits Action by Congress," by John B. Andrews; *American Labor Legislation Review*, Vol. XVI, No. 1, p. 13 *et seq.*

be afforded this protection."[2] The bill as reported represents the Judiciary committee's deliberate judgment as to equitable compensation provision for these workers. It is a reasonable and adequate measure.

These hundreds of thousands of local harbor workers—comprising besides longshoremen twenty different crafts, including machinists, boilermakers, carpenters, painters—urgently need this protection. This carefully considered legislation has received widespread endorsement. Shipping interests have based their objection on the grounds that the benefit provisions are too liberal. But there is no point in passing an inadequate law. Compensation payments must take into account the higher cost of living in recent years. A weekly maximum of less than twenty-five dollars—the amount agreed to in conference by the longshoremen—is inadequate, as has been formally recognized by the House Judiciary committee in an earlier recommendation to increase the monthly maximum in the United States Employees' Compensation Act to $116.66.[3] If this legislation were delayed until the next session of Congress it would mean that the indefensible conditions facing these workers daily would be unnecessarily continued for months—a delay written in terms of lives lost and industrial disability with no remedy. From the viewpoint of the general welfare this measure should be passed now.

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[2] House of Representatives. Report No. 1190.

[3] "It is believed that the increases here recommended are not more than is reasonable when consideration is given to the advances in cost of living and wages." House of Representatives, Report No. 936.

A Bill Congress Should Pass

(Editorial in the New York *Sun*, May 20, 1926.)

UNDER the Constitution of the United States the judicial power of the Federal Government extends "to all cases of admiralty and maritime jurisdiction," and under this provision the Supreme Court has held that "a State law granting compensation [for injuries received in the course of the suitor's employment] was in conflict with the Constitution in view of the fact that the employment and injuries were clearly within the admiralty jurisdiction." Consequently longshoremen, ship repair men—carpenters, painters, boiler makers, mechanics and men of many other trades—injured while at work have been shut out from the compensation legally provided by State enactments for their fellow craftsmen who labor ashore.

Congress endeavored to remedy this manifest injustice by amending the judicial code by adding to its saving clause a provision reserving "to claimants the rights and remedies of workmen's compensation laws of any State"; this the Supreme Court knocked out, as it did a later act intended to correct the situation. Now Congress has before it a bill "to provide compensation for employees injured and dependents of employees killed in certain maritime employments." The measure follows in general the terms of the New York State compensation law, which the House Committee on the Judiciary declares to be "one of the best." It has been considered and agreed to on many of its provisions by representatives of both employees and employers. It is a humane measure in accord with the enlightened spirit of the times, and its enactment would provide for maritime workers of the classifications affected the protection modern industry on land expects and is constrained to give.

Congress should promptly pass this needed bill.

Kentucky Adopts Old Age Pensions

AN old age pension law was enacted in Kentucky in the legislative session of 1926—signed by Governor W. T. Fields on March 25. The act goes into effect June 24, 1926. It provides a maximum pension of $250 a year, and is similar to the Wisconsin plan in depending upon acceptance by the various counties.

Kentucky thus becomes the fifth American state that has adopted the enlightened method of caring for aged dependents in their own homes through old age pensions in place of the antiquated and inhumane poorhouse system. Alaska enacted a law in 1915 which was greatly liberalized in 1923. Montana, Nevada and Pennsylvania adopted old age pension legislation in 1923. Pennsylvania's act was held invalid because of a unique provision of the constitution, but steps are being taken to overcome this difficulty. Nevada replaced her act of 1923 with a new one in 1925. Wisconsin enacted a law in 1925.

In two states—California in 1925 and Washington in 1926—old age pension bills were passed by the legislature but vetoed by the governor. Recently in Oregon an old age pension initiative bill was submitted to the state officials to be placed on the ballot and voted upon in the November, 1926, election.

Official investigating commissions in Indiana and Massachusetts in 1925 and in Virginia in 1926 reported in favor of old age pension legislation, but the legislatures have not yet taken final action. A bill passed in one house in Indiana in 1925 and in Massachusetts in 1926 action on a bill has been delayed by obstructive tactics.

In addition to the creation in Colorado and Minnesota, in 1925, of official commissions to study old age pensions with a view to legislation, New York has just provided for such an investigation. A joint legislative committee, with an appropriation of $5,000, has been created by the 1926 legislature to make a survey of poorhouses and similar institutions in New York, and of the conditions of needy aged persons, with a view to legislation.

Old age pension legislation is thus making steady progress. In 1927, when most of the state legislatures will hold sessions, the momentum already achieved will doubtless be augmented by the enactment of additional old age pension laws which, like mothers' pensions, bring both economy and humanity into the care of dependents.

Repudiating a Platform Pledge

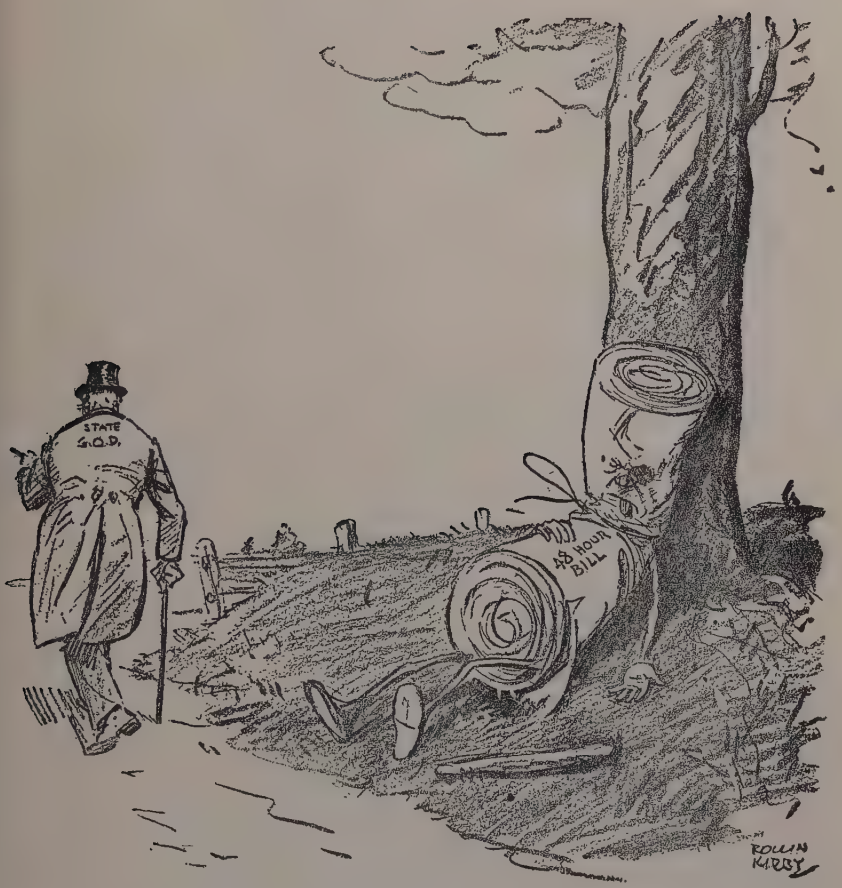
THE death knell of the women's forty-eight-hour bill in the 1926 New York legislature was sounded on April 6, when the Assembly voted 79 to 69 to kill it. The bill did not even come to a vote in the Senate. Thus the Republican machine, at the behest of the up-state manufacturers' lobby, carried out to the end the unsavory tactics of repudiating a platform pledge.[1]

Before the final vote in the Assembly, the Republicans were called into "conference." When they returned word was passed around that the forty-eight-hour bill was dead for another year. Ten Republicans, however, refused to be a party to such a ruthless betrayal of their platform promise of 1924, and voted for the bill. The ground had been laid for killing the forty-eight-hour bill a month earlier when the machine put over on March 9 a resolution calling for a year's "investigation" of labor bills instead of immediate action. This subterfuge resolution was plainly regarded by its sponsors as a clever way of avoiding the appearance of political dishonesty.

The opposition was discomfitted, but not at all deterred from its tactics, by the results of two recent inquiries which reaffirm the desire of working women for a forty-eight-hour law. The employers' lobby had with specious solicitude contended that women workers, particularly "up-state," did not themselves want a shorter working week. An investigation by the Associated Industries of Utica among 3,500 working women in that city—even though the questionnaire implied that shorter hours would result in decreased earnings—showed that the women stood four to one in favor of the forty-eight-hour week. And an investigation in thirteen up-state towns and cities by the New York state affairs committee of the Women's National Republican Club showed that 95 per cent of the women interviewed want a forty-eight-hour week.

The women's hour bill has been before the New York legislature for more than a dozen years. How much longer will it be the victim of shameless legislative obstruction?

[1] See "Opposition Tactics Against Women's Forty-eight-hour Bill," *American Labor Legislation Review*, Vol. XVI, No. 1, March, 1926, pp. 20-21.



—*New York World*

The End of a Republican Promise

Accident Compensation Campaign in Missouri

EFFORTS to wipe out "the shame of Missouri" by giving that state a workmen's accident compensation law have met with many vicissitudes during the past half dozen years.

This year, in the November election, the voters will pass upon a law enacted by the 1925 legislature, but against which the referendum was invoked. It will be the third time since 1920 that a workmen's compensation proposal has been put up to Missouri voters. This time it should have a better chance of adoption since, interestingly, the state federation of labor, the state employers' association and commercial insurance companies are all united in support of the law.

In 1921 the Missouri legislature enacted a law which included an **elective state fund** for compensation insurance. The referendum was invoked by its opponents. In the campaign organized employers joined with the state federation of labor in favor of the law. The opposition was openly headed by an element of labor centering in the building trades. In the November, 1922, election the law was defeated.

In 1924 the state federation of labor initiated a measure, which provided for an **exclusive state fund.** Organized employers and commercial insurance interests carried on an intensive campaign against this proposal, and it was defeated by opposition votes of farmers who would have been in no way affected by it.

The 1925 law, to be voted on in November, provides—except for self-insurance in certain cases—that the **private insurance companies** shall have a monopoly of the business. Why, then, is it being supported by the federation of labor in this campaign—when an exclusive state fund is one of the most vigorously championed tenets of the American labor movement? The answer, made by both state and national federations, is that the 1925 law is the best that can be obtained now; that it should be sustained, and then at the first opportunity brought up to desirable standards.

This year, again, the opposition is headed by the building trades labor group, aided it is said by damage suit lawyers who do not want workmen's compensation of any kind. They threaten to

confuse the voters by initiating a separate proposal. The chief reason given by the building trades organizations for fighting the act is that they "do not wish to give up full wages and all medical and hospital bills (which they claim to be getting now from private insurance companies) and to accept in their place $20 a week and $250 on medical and hospital bills." They insist also that not one case in ten ever reaches a lawyer under present conditions. Meanwhile Associated Industries has appealed for a fund of $200,000 to finance the statewide campaign in behalf of the 1925 law. They are, it appears, willing to pay to get a law that is largely to the interest of their commercial insurance allies, especially if they have their help in accumulating the campaign fund. Perhaps they feel that a large sum is now needed to counteract their own successful propaganda in the rural sections against the much better workmen's compensation proposal of 1924.

What has happened in Missouri indicates that it is very difficult to get an adequate accident compensation law unless at least organized labor of the state is united. Under present conditions, injured workers and their dependents may have to make the best of an associated-industry-commercial-insurance law, if any.

Abolish This Unjust Discrimination!

PENNSYLVANIA'S shameful backwardness in workmen's compensation legislation has again been called to public attention—this time in connection with discriminations against non-resident alien dependents in death cases.

Ten years ago an Italian youth was killed while working in a quarry in Pennsylvania. His parents, living in Italy, were wholly dependent upon him for support. The state compensation board ruled that under the Pennsylvania act the dependents were not entitled to an award. Later, in obedience to a decision of the court of common pleas, the board awarded $820, and the award was affirmed by that court. The judgment was reversed by the superior court on the ground that the act expressly provides that non-resident "alien parents" shall not be entitled to any compensation, and that the Treaty with Italy of 1913—invoked by the plaintiffs—did not cover the case. This opinion was upheld by the state supreme court, and, in an opinion handed down April 12, 1926, by the United States Supreme Court. (No. 214—October Term, 1925.)

Thus is a glaring injustice of the Pennsylvania compensation act again made manifest. Such discriminations against non-resident dependents violate the principle of workmen's compensation. The financial loss due to the cutting off of lives by occupational injuries should be borne by the industry as a cost of production. An alien worker in this country is paid the same wage as is given to a native citizen rendering the same service to industry and he is as eligible as a native citizen to receive compensation for his own injuries. Why should he and his dependents be discriminated against when the injury is so serious as to kill him?

One of the unfortunate consequences of this policy of discrimination is the financial temptation it places in the way of some employers to hire aliens and thus directly discriminate against native Americans with families residing here. That this sort of thing could enter the minds of employers was recently evidenced by The Waterfront Employers of Seattle. Writing to the House Judiciary committee, April 9, 1926, in opposition to the proposed adequate workmen's compensation law for longshoremen, these employers declared that the law would put "a premium on flooding the ports of the country with single men and floaters." Why? Because, say

these employers, death benefits would be more if the man who was killed were head of a family than if he were single; and because a surplus of men would lessen their earnings and thereby in turn reduce compensation benefits. This remarkable document warned that "it would be to the employers' benefit under the bill to flood the 'beach' with casual labor keeping their earnings low." A shockingly anti-social attitude! It is employers of this type who find in compensation laws that discriminate against non-resident dependents a financial temptation to employ aliens in preference to native Americans with families residing here.

Pennsylvania, because of its eminence as an industrial state, should be at least abreast of the best standards of other compensation states. The spirit of workmen's compensation calls for the abolition of unwise discriminations—nominally against the non-resident dependents of alien workers who are killed in our industries but in effect against American citizens who are responsible heads of families.

House Committee Favors Increasing Rates of Compensation for Injured Federal Employees

"TO make the relief afforded injured Government employees more equitable and more adequate in view of the advances that have taken place in the cost of living since the present rates were established." This, in the words of the House Judiciary committee, is the purpose of bill H. R. 11325 to increase the rates of compensation in the existing United States employees' compensation act.

The committee, in reporting the bill favorably, pointed out that the increase in the cost of living since the bill was enacted has worked hardship on the injured employee who "suffers not only from the results of his injury but from the necessity to which it is often impossible for him to adjust himself of attempting to maintain himself and his family on a maximum allowance of $66.67 per month.

The bill provides for an increase in the maximum and minimum limits of compensation of 75 per cent over the maximum and minimum limits fixed in 1914 and incorporated in the act of 1916. "The increase as provided in the bill," says the committee's report, "when applied to the payments of the year 1925 would result in an increase in the amount of compensation paid of 27½ per cent, or $668,692. It is believed that **the increases here recommended are not more than is reasonable when consideration is given to the advances in cost of living and wages since the standards of the present act were established."**

Legislative Trickery That Failed

THE opposition to labor legislation appears to have no scruples as to the tactics it employs. Particularly in the case of measures that have widespread public support is it found digging secret legislative pitfalls behind the scenes and resorting to shameful trickery. All too often these tactics are successful.

Recently, however, in the New Jersey legislature a bit of last-minute treachery was uncovered and its perpetrators thwarted. As a result a bill limiting the issuance of injunctions in labor disputes and defining peaceful picketing was enacted into law. (See page 140 for text of this act.)

The measure had passed in the Senate, after being amended, on March 22. On March 24 it was delivered to the speaker of the Assembly who referred it to the committee on miscellaneous bills of which John B. Stratton is chairman. Ten minutes later the bill was found to be "lost." No one seemed to know who had possession of it. The clerk of the house, the supervisor of bills, and Assemblyman Stratton himself all denied knowledge of the bill. Persistence on the part of the advocates of the measure, however, finally wrung from Mr. Stratton the admission that he had the bill. Their requests that he report it out, so that it could be voted on, met with a heated rebuke that this was "interfering and preventing him from properly performing his legislative duties." It was noted, however, that representatives of the principal opponents of the bill were continually hovering around Assemblyman Stratton's desk.

Appeal was then made to influential senators and assemblymen to induce the speaker to bring the bill out of committee, with the result that just before adjournment the bill was ordered placed on the calendar. Immediately a motion was made to cease passing all bills, but this failed.

Just as the peaceful picketing bill was about to be put to a vote, a newspaper man informed the friends of the measure that **a fake bill had been substituted on the speaker's desk for the original one passed by the Senate.**

"Upon examination," says Secretary Henry J. Hilfers of the New Jersey State Federation of Labor, "it was found that an attempt to cheat had been made through imitating the official cover of the original Senate bill. All Senate bills are blue in color and

bear on the cover the number of the bill and a synopsis of its purport, and are bound with a pink ribbon. The pink ribbon was missing from the 'phoney' bill, and the attention of the newspaper correspondent was attracted to this fact. Upon examination it was found that the old copy of the measure which did not carry the amendment made in the Senate had been sent up for action, and, of course, since it was not the bill amended, would have gone to the morgue of oblivion even though it had been carried by acclamation."

Minority leader Morris E. Barison, who sponsored the bill in the Assembly, was quickly informed of the trickery. He went to the speaker's desk, examined the fake bill, and thereupon called the attention of the speaker and the Assembly to the substitution. He demanded that the original Senate bill be produced. But the original still appeared to be "lost." He then moved that a second official copy reprint be used. This was done.

"Here," remarkes Mr. Hilfers, "the perpetrators of the scheme became panic-stricken and **the original certified copy was quickly found.** When the vote was taken even those who seemed to be in the conspiracy voted for the bill, and it was passed.

"Mr. Stratton, after the excitement was over, approached the laboring men and stated: 'Gentlemen, I was always in favor of this bill, and always am a friend of labor, but somehow or other the bill got mislaid or stolen, and I could not locate it at the time when it came up for final passage.'

"He was backed up in this statement by the secretary to the speaker, but the story was rather spoiled when they were questioned how it came about that they found the bill so quickly when the exposure was made. There was no answer to that question by the gentlemen."

New Jersey's New Picketing Law

THE law enacted by the New Jersey legislature of 1926 limiting the issuance of injunctions in labor disputes and defining peaceful picketing provides that—

"No restraining order or writ of injunction shall be granted or issued out of any court of this state in any case involving or growing out of a dispute concerning terms or conditions of employment, enjoining or restraining any person or persons, either singly or in concert, from terminating any relation of employment, or from ceasing to perform any work or labor, or from peaceably and without threats or intimidation recommending, advising or persuading others so to do; or from peaceably and without threats or intimidation being upon any public street or highway or thoroughfare for the purpose of obtaining or communicating information, or to peaceably and without threats or intimidation persuade any person or persons to work or abstain from working, or to employ or cease to employ any party to a labor dispute, or to peaceably and without threats or intimidation recommend, advise or persuade others so to do, provided said persons remain separated one from the other at intervals of ten paces or more."

New Railroad Labor Law

BACKED by all railway labor organizations and by leading railroad companies, the Watson-Parker bill "to provide for the prompt disposition of disputes between carriers and their employees" was passed by Congress, and signed by the President May 20.

The new law abolishes the Railroad Labor Board set up by the transportation act of 1920 and repeals the mediation, arbitration and conciliation provisions of the Newlands act of 1913. It is designed to leave the major responsibility for settling disputes directly upon employers and employees.

The machinery that is created is, briefly, this: **Adjustment boards** to deal with grievances or disputes over the application or interpretation of existing agreements are to be established by joint agreement. A federal **board of mediation** is created, to be appointed by the President, with the duty of intervening at the request of either party or on its own motion in any unsettled labor dispute, including disputes that the adjustment boards have failed to settle as well as disputes over changes in wages, rules, or working conditions which are not within the jurisdiction of

the adjustment boards. If the board of mediation is unable to bring about an amicable adjustment between the parties, it is required to make an effort to induce them to consent to arbitration. Boards of arbitration are provided for when both parties consent to arbitration. If a dispute is not settled by any of these methods and if in the judgment of the board of mediation the dispute threatens to substantially interrupt interstate commerce, the board shall notify the President, who is thereupon authorized in his discretion to create an emergency board to investigate and report to him. After the creation of the emergency board and for thirty days after it has made its report to the President no change, except by agreement, shall be made by the contending parties in the conditions out of which the dispute arose.

Unlike the now defunct Railroad Labor Board, the new board of mediation will hand down no "decisions" but only serve as an aid in bringing about voluntary agreements. The last-resort function of the emergency board is to enable the President to inform the public on which side to lay the blame for failure to reach an agreement.

The new Railway Labor Act conforms to the spirit of the times in leaving industry to settle its own labor relations without public intervention. This aspect was emphasized by President Coolidge in signing the bill. As to fears that the act does not sufficiently afford "protection for the public," brought forward in opposition to the bill by the National Association of Manufacturers and other shippers—and shared, it appears, by the President—the President says that if they should materialize "a future Congress" can remove them.

With railroads and their employees themselves so generally in favor of the act, there is promise of its successful operation at the outset. It will be interesting to observe developments of this conspicuous effort to give legislative encouragement to the principle of collective bargaining and voluntary agreement in labor disputes.

Mine Inspectors Discuss Rock Dusting Progress

PROGRESS in rock dusting bituminous mines to prevent coal dust explosions was discussed, and a demonstration given of the explosibility of coal dust without the aid of gas, at the annual meeting of the Mine Inspectors' Institute of America held in Pittsburgh, May 11-13. The Institute was already on record in favor of including the rock dust safeguard in coal mine safety laws. Mr. E. J. Hoey, state mine inspector, Christopher, Illinois, was elected president, and G. V. Butterfield, Hartford, Connecticut, secretary.

Reviewing the "Present Status of Rock Dusting in the United States," Edward Steidle of the Carnegie Institute of Technology pointed out that 5 per cent of the bituminous mines, representing 12 per cent of the bituminous production of the United States, is now rock dusted. The cost, he said, does not exceed one cent per ton of coal mined, and actual figures per ton from a number of mines run from 1/5 to 9/10 of a cent.

J. W. Paul, chief mining engineer of the federal Bureau of Mines, declared that tests have shown that the dust of certain coals will not hold enough water to prevent propagation of an explosion—a statement which impressed many who had heard another speaker, Ed. Flynn of the Tennessee Coal, Iron and Railroad Company of Alabama, claim that it was possible to fight the explosion hazard of coal dust by sprinkling with water. However, Mr. Flynn said he believed that rock dust will do all in the way of preventing explosions that its advocates claim.

Spectacular proof that coal dust will explode, even in the absence of explosive gas, was provided by Mr. Paul at the government mine near Pittsburgh in the presence of delegates. Coal dust was distributed from the mouth to a point 400 feet within the mine, two pounds of it per foot of entry. The dust was ignited by a blown-out shot of four pounds of black blasting power fired from a cannon at a point 180 feet within the mine entrance. The resulting explosion was appalling. Flames shot menacingly across the valley and set fire to the grass on a hillside 600 feet or more from the mine mouth. As a *Coal Age* reporter remarked: "It served as a fitting climax, convincing any who might be skeptical that a blown-out shot of black powder will produce an explosion of coal dust without the aid of gas."

The New York Times

EDITORIAL, APRIL 8, 1926

Rock-Dusting to Save Miners

USING rock-dust to prevent or limit the explosion of coal-dust in mines should be universal. The method employed is to scatter dust mixed with rock particles or fragments on the floors and in passages wherever coal is being dug, broken down and hauled. Coal-dust is easily ignited, and explosions over wide areas quickly follow, causing heavy casualties among unprotected miners. In the period between December 10, 1925, and February 16, 1926, there were eight explosions in bituminous mines in this country that took a toll of 225 lives. On December 10, in an explosion at Overton, Ala., fifty-two miners were killed. At Helena, in the same State, twenty-seven miners died in another coal-dust explosion. The *American Labor Legislation Review* asked: "Will the Alabama "Legislature at its next session forget "these grim reminders of its duty, and "again neglect to pass a law to require "the rock-dusting of all mines?" In Alabama ten companies have begun to rock-dust or are putting in the machinery to do it. Here is a picture of an escape and rescue following an explosion at Wilburton, Okla., in which ninety-one miners lost their lives by suffocation:

> McKinney crawled in the mine passage over dead bodies for twenty-three hours. He was in a state of nerve collapse when rescue workers brought him to the surface. He had crawled over the body of his dead father, whom he recognized, and came out to learn that a brother was still in the mine.

Such are the hazards, such the dreadful experiences, of men who work in mines where there is failure to spread rock-dust. The cost is infinitesimal. Rock-dusting saved the lives of 1,050 miners at West Frankfort, Ill., where an explosion was checked on January 29. Associated companies that have responded to the call of humanity draw attention to the fact that "experiments made by the United "States Bureau of Mines have demon- "strated beyond a doubt that the ad- "dition of sufficient rock to bring the "percentage of rock-dust above 55 of "the total will prevent the explosion of "coal-dust."

An appalling record of disaster is that of the mines where explosions have occurred in the last ten years: the dead number 25,000. There are accident compensation laws, but they fall far short of the duty the State owes the coal miners. Safety standards are woefully inadequate. Many of the worst hazards can be eliminated. That they are not is a reproach to American civilization. In twenty-one bituminous States full preventive measures have not been taken. Water to lay the coal-dust is ineffective. But if rock-dusting is well done safety is assured. Limestone and shale make the best rock-dust. When the American Association for Labor Legislation began to agitate for protection there were only three coal companies using rock-dust. There are now more than one hundred. The Castle Gate explosion in Utah cost the company and the community more than $1,000,000, and yet for less than 1 per cent of the value of the coal produced the catastrophe could have been avoided. The omission to provide rock-dusting machinery should be regarded as an offense to be heavily penalized. In another year, if State Legislatures rise to their duty, there should not be a mine in America where this simple and inexpensive safeguard is not in use.

Seven Mine Explosions—190 Dead—Thus Far in 1926!

PROGRAM OF PREVENTION

A COAL mine disaster at Eccles, West Virginia, March 8, **killing 19 men,** brings the list for the first five months of 1926 up to seven coal mine explosions in which a total of 190 miners lost their lives. The tragedy at Eccles followed disasters due to coal dust explosions at Wilburton, Oklahoma, January 13, **with 91 dead;** at Farmington, West Virginia, January 14, **with 19 dead;** at West Frankfort, Illinois, January 29, **with 5 dead;** at Helena, Alabama, January 29, **with 30 dead;** at Horning, Pennsylvania, February 3, **with 19 dead,** and at Nelson Creek, Kentucky, February 16, **with 7 dead.**

In 1925 ten major mine explosions took the lives of 237 men. That this record is not quite as shocking as that for 1924 is doubtless due in a measure to the remarkable activity of coal companies in 1924 and 1925 in installing the rock dust safeguard in their mines—activity which has continued in 1926 until at least 150 mine companies are now rock dusting. In 1924 ten "major" **explosions in coal mines took 459 lives!** In 1923 **265 miners were killed** in nine "major" coal mine disasters. These tragedies followed a series of eleven "major" explosions in 1922 which caused the death of 264 men. **In ten years we have killed more than 25,000 coal miners!**

What these tragedies mean to the families of the victims, gathered in pitiful groups at the mine mouth, cannot be measured.

Scores of editors and writers have in recent months cooperated in the campaign for the prevention of needless coal mine accidents by demanding that state legislatures promptly enact laws to require the rock dusting of mines to prevent coal dust explosions.

How much longer shall these killings continue? ("The great explosions should not be considered to be normal occupational accidents," says the director of the federal Bureau of Mines.) When will the public insist upon removing for all time the dreaded spectre of violent death that stalks through the mines? These questions—which must here again be raised—have been asked in every issue of this REVIEW since December, 1922. And in each new issue, without fail, it has been necessary to record the news of one or more new disasters.

Mine bureaus have existed for many years. Accident compensation laws have provided at least partial relief for those

left dependent. **But safety standards are still inadequate.** The United States Bureau of Mines has shown that many of the worst hazards of mining can be eliminated. The director of the Bureau has declared that "explosions can and must be prevented." Results, however, depend upon local and state action.

In order to make safety work in the mines more effective the American Association for Labor Legislation is urging the adoption of a program for strengthening protective legislation, which includes—

1. The adoption of uniform legal minimum standards of safety;

2. The use underground of no explosive that is not after scientific investigation numbered among the "permissibles;" the strict limitation of "shooting off the solid;" and the use of shale or approved rock dust to check the spread of coal dust explosions;

3. Reward careful employers and penalize the less scrupulous, by the universal adoption of schedule rating for insurance under accident compensation laws, with a further graduated penalty for cases of willful failure to put into effect legal safety regulations;

4. An adequate mine inspection staff selected upon a merit basis of training and experience, fairly paid, for reasonably long tenure of office and protected from partisan interference whether political or industrial;

5. Greater public authority, federal and state, to procure and disseminate information, and to establish and maintain on a uniform basis reasonable minimum standards of safety.

The Association's program of prevention of needless coal mine disasters—discussed more fully in this REVIEW for March, 1924—has aroused widespread interest. It has been put forward during the past two and a half years with the active co-operation of the press, and after consultation with mine operators and engineers, representatives of the miners' organizations, state and federal mine inspectors, and an examination of published records.

As a result of the Castle Gate explosion in March, 1924, Utah promptly pointed the way by adopting the most comprehensive coal mine safety code in America, including the required use of rock dust. In 1925 three additional states—Pennsylvania, Wyoming and West Virginia—enacted laws providing for the rock dusting of bituminous mines.

Why should there be further delay in the other twenty-one bituminous states in taking the necessary preventive measures? Why continue NEEDLESSLY to destroy property in an essential industry and sacrifice additional hundreds of precious human lives?

Big Mine Disaster in Germany an Object-lesson in Rock Dusting

THE killing of 136 men in a coal mine explosion in the Ruhr, Germany, February 11, is another terrible object lesson in the need for adequate rock dusting of mines to prevent coal dust explosions. It also shows the danger of putting trust in the old—and ineffective—method of sprinkling with water.

A report of the disaster in *Coal Age* by Raoul Touwaide of the Ressaix Coal Company, Belgium, says that the mine "was known to be dusty, and water sprinkling and spraying were practiced." It further states significantly: "A few rock-dust barriers were provided. The management had decided to build more barriers and intended to rock-dust all entries, roads and airways. This program had been partly executed, and a milling plant (for preparing the rock dust) had been erected and had started operation a few days before the disaster."

The explosion traveled on its deadly course through the workings until it reached a couple of rock-dust barriers which operated and quenched the flames. One of the seams ravaged by the explosion "was naturally very wet. Water constantly streamed along the faces. This, however, had no effect whatever on the explosion. A series of tests recently made in the Derne gallery have proved that, in a road completely wet, 2.14 oz. of coal dust per cubic yard were enough to render the air susceptible to an explosion. * * * Thus, though water had no effect whatsoever, the rock dust barrier proved successful."

According to Mr. Touwaide, "the Dortmund Obergamt declares that the disaster will oblige the Control Commission to require rock dusting. * * * He adds that this rule is to be made obligatory on all mines of the Ruhr district."

Among the "useful conclusions" which Mr. Touwaide reports can be drawn from this disaster are "(1) Rock dust barriers alone are insufficient to protect a mine against a coal-dust explosion. All entries, haulageways, air-courses, in a word the entire mine, should be rock-dusted: (2) Water sprinkling and spraying systems should be abandoned, for explosions may extend long distances over roads completely wetted."

The Associated Companies Require Rock Dusting

ROCK dusting bituminous mines to prevent coal dust explosions, as a safety measure of proved effectiveness, has met with the approval of The Associated Companies which write a large volume of coal mine compensation business throughout the United States. During the past two years these companies have joined in the campaign for rock dusting. Now, in a safety circular on workmen's compensation insurance on coal mines issued in April, announcement is made that—

"The Associated Companies now feel that all bituminous gaseous and/or dusty mines should be rock dusted and have announced that on and after October 1, 1926, **the Associated Companies will not insure for compensation any gaseous and/or dusty mine unless it is rock dusted.**

"The Associated Companies will cancel the policy on October 1, 1926, if the policy covers a gaseous and/or dusty bituminous mine that has not been rock dusted, and furthermore, the Associated Companies on and after October 1, 1926, will not issue a compensation policy on any bituminous gaseous and/or dusty coal mine until it has been rock dusted."

The safety circular points out that the cost of the rock dust safeguard is slight—less than a cent per ton of coal mined—and that "a large number of bituminous coal mines in the United States have been rock dusted and explosions have occurred in several of these rock dusted mines, and the rock dusting demonstrated that it would extinguish the flame, thus preventing a large loss of life." It reminds the coal industry further that—

"The number of catastrophes that have occurred during the last three years is appalling and the death total in the individual and total cases is up in the thousands. During the calendar years 1920 to 1925, inclusive, there were 62 catastrophes in the coal mines of the United States, involving the deaths of 1,404 men and the compensation cost alone on these deaths, estimating each death at the rate of $4,000, would be $5,616,000. The cost of property damage, no doubt, is in excess of these figures and the amount, of course, is impossible to estimate.

"Between January 1 and March 8 of this year, seven catastrophes

have occurred, with the total deaths of 188 men. Had it not been for rock dusting in the Orient Mine of the Chicago, Wilmington and Franklin Coal Company, the grand total would probably be 1,418, instead of 188. If we estimate the cost of these deaths at the rate of $4,000 per fatality, it would have cost $6,358,000 to compensate the families of the victims of these various catastrophes that have occurred in the United States between January 1, 1920, and March 8, 1926.

"The English government has by law compelled its mines to be rock dusted for years. The Bureau of Mines of the United States has made numerous tests and has demonstrated beyond the question of doubt that rock dust will confine an explosion to a very small area and soon extinguish the flame."

In thus refusing to continue insuring coal mines against the hazard of coal dust explosions, the Associated Companies state emphatically that **"sprinkled or watered mines will not be accepted in lieu of rock dusting."**

After more than two years of steady driving through solid rock, two big gold mines in California—the Argonaut and the Kennedy—located side by side, have finally completed an underground connection and safety chamber 4,600 feet beneath the earth's surface. This action was ordered by the state Industrial Accident Commission as a result of **the Argonaut disaster** of August, 1922, when 47 miners lost their lives. This tragedy was caused by a fire in the main—and only—shaft. Trapped below the fire and with no means of escape the 47 men were killed by suffocation. Now, in case fire breaks out in one mine, workers are able to cross to the main shaft of the adjoining mine and be hoisted to safety.

An article in the *National Safety News* for March on "Rock Dusting Halts Catastrophe at New Orient Mine," describing the saving of more than a thousand miners from death in the **coal mine explosion** at West Frankfort, Illinois, January 29, says: "As mining men and scientists all over the country and the world read the brief news note in the press that day they were able to pick out one significant sentence from the story. 'The mine was newly rock dusted.' They understood how modern scientific safety methods had again scored a triumph in the saving of human lives."

"They Ain't No Sech Animal!"

WHEN all the best scientific study of the world, reinforced by successful practical experience, had finally determined that rock dusting is the safe, certain and inexpensive method of preventing coal mine catastrophes due to coal dust explosions, a zealous dissenter simply had to make his appearance. He comes with a book, flying in the face of engineering knowledge and scoffing at the mature conclusions reached by American and British government mining experts, the American Engineering Standards Committee, the Mine Inspectors' Institute of America, casualty insurance companies, coal mining engineers and safety experts, and substantial coal operators. This great array of authoritative support of the rock-dust safeguard, it would appear from the book, is but a manifestation of "the well known gullibility of the American public."

This dissenter, in his paper-covered volume, "The Rock Dust Remedy," [1] denounces the experts of the United States Bureau of Mines and of the British government—and, first and last, the American Association for Labor Legislation—for disseminating scientific information heretofore nicely buried in voluminous government reports. The campaign for rock dusting he stigmatizes to his own satisfaction as "propaganda." And he announces that "it is the operators more than any other class of persons connected with the coal mining industry that may make the most effective use" of his pronouncement against safeguarding the mines and miners with rock dust.

Here we have the engineering counterpart of the old lady from the back-country who saw an elephant for the first time, and, after looking it over, announced firmly: "They ain't no sech animal!"

[1] "The Rock Dust Remedy," by Harry Phython. Published by the Belle Vernon Agency, Belle Vernon, Pennsylvania, 1926, 190 pp.

Coal Company's New Code of Safety Includes Rock Dusting Standards

ROCK dusting to prevent coal dust explosions is emphasized in a new code of mine standards adopted by the Union Pacific Coal Company, covering every process of operation and applicable to the company's mines in Wyoming and Washington. The code was prepared by the company's mining engineer after conferring widely with the operating and engineering staffs of many coal producing companies and after numerous mine inspections. Included in the comprehensive section on safety standards are the following instructions:

"All mines shall be protected against the propagation of an explosion by rock dust barriers. * * * Dust barriers shall be located on all slopes, air courses, and manways intermediate of all cross entries. * * * Working panels shall be sectionalized by dusting and dust barriers. * * * In any place where complete protection is not afforded by the foregoing, additional districts shall be established which shall be sectionalized by dust barriers. * * * Areas worked by the room and pillar method off entries shall be sectionalized by placing dust barriers every ten rooms apart, the room pillars at these points to be cut by one cross cut only and a barrier placed therein. * * * Slopes, panels, entries, haulageways and traveling ways shall be rock dusted in a manner prescribed by and subject to the approval of the safety engineer, which, however, shall be in a manner now or hereafter approved by the United States Bureau of Mines and the state mining inspector."

Proper construction and placement of the rock dust barriers are shown by means of detailed diagrams.

The hundred and fifty coal companies that, like the Union Pacific Coal Company, are rock dusting their mines are not only protecting their employees from violent death and their property from damage; they are also developing a technique of properly installing the rock dust safeguard that will be immediately available to other companies when the state legislatures meet their responsibility and require the rock dusting of all mines.

Five Miners Killed by a Cave-In

A STORY of a race with death not unlike that which stirred the whole nation a year ago when Floyd Collins was trapped during an adventurous exploit in a cave, comes from the Pacific Coast. Six hard rock miners were entombed in a cave-in on April 17 while working in Grizzley Creek tunnel near Oróville, California. Despite frantic rescue efforts, all but one lost their lives. This unheralded disaster is one more tragic reminder of the exceptional hazards of underground work.

A blast set off by the miners, in driving the nine by nine foot tunnel into Bucks mountain, was followed by a cave-in of tons of granite and mud that had been loosened by seeping water. A local newspaper reports that when a new shift went to work soon afterward "they saw the cave-in and let out a mighty shout in an attempt to call to their fellow workers in the tunnel as they saw the earth shake and heard the timbers groan. Running quickly toward the portal of the tunnel they reached safety in the nick of time and saw another twenty feet of the tunnel cave in."

Then began a harrowing task of digging through almost fifty feet of the slide in an effort to rescue the men who lay buried under fallen timbers and earth in the gravelike darkness. The debris had to be relayed to the mouth of the tunnel and a whole day was consumed in breaking up and taking out piecemeal a huge boulder which choked the entire passageway. Once past this barrier the rescuers found one of the miners, alive but semi-conscious. The rescue crews redoubled their efforts. ("They talked in whispers. The air of funeral silence permeated the atmosphere. It was contagious. Even those outside the black interior of the tunnel spoke in hushed voices.") But in vain. The other five men were dead.

The dead miners had thought they were working in safety. The roof of the cave had been bolstered by large timbers, sixteen by sixteen inches, but the weight above broke the cap pieces as if they were so many matches.

As to the spirit of the miners in time of disaster—"Quit? I should say not. We're going to punch that tunnel through and from now on that hole will be as safe as God's pocket. Now we know what's there. It's a peculiar formation—few like 'em in the world."

Pioneers in Rock Dusting

Roll of Honor of Coal Companies Using Rock Dust to Prevent Coal Dust Explosions

150 Companies in Sixteen States and Canada!

(EDITOR'S NOTE: When in December, 1922, after calling attention to the increasing toll of lives in coal mine disasters, the American Association for Labor Legislation opened its present campaign for the adoption of preventive measures, it was able to secure from federal and state official sources the names of only three coal companies in the United States and Canada that were using rock dust to prevent coal dust explosions. As the campaign has progressed during the past three and a half years, the Association has been informed of the installation of rock-dusting methods by nearly 150 additional companies. Such companies should be commended for taking the lead in the adoption of this simple, reasonably inexpensive and effective safeguard against disasters. Following is the list, as of May 1, 1926, of coal companies that have equipped one or more of their mines with the rock dust safeguard, or have begun to install it.)

ALABAMA—11

Gulf States Steel Company—Sloss-Sheffield Steel and Iron Company—De Bardeleben Coal Corporation—Galloway Coal Company—Yolande Coal and Coke Company—Davis Creek Coal and Coke Company—Tennessee Coal, Iron and Railroad Company—Newcastle Coal Company—Alabama By-Products Corporation—Franklin Coal Mining Company—Alabama Fuel and Iron Company.

COLORADO—4

Victor American Fuel Company—Royal Fuel Company—American Smelting and Refining Company—Alamo Coal Company.

ILLINOIS—10

Old Ben Coal Corporation—Valier Coal Company—Union Colliery Company—Madison Coal Corporation—Chicago, Wilmington and Franklin Coal Company—Peabody Coal Company—Industrial Coal Company—Crerar-Clinch Coal Company—Cosgrove-Meehan Coal Company—Bell and Zoller Mining Company.

INDIANA—5

Eureka Coal Company—Shirkie Coal Company—Binkley Coal Company—Sugar Valley Coal Company—City Coal Company.

KANSAS—5

Hamilton Coal and Mercantile Company—Wilbert and Schreeb—Krueger Coal Company—Mackie, J.—Clemens Coal Company.

KENTUCKY—6

West Kentucky Coal Company—Duvin Coal Company—Trio Coal Company—Diamond Coal Company—Pike-Floyd Coal Company—Leckie Collieries Company.

MARYLAND—1

The Davis Coal and Coke Company.

NEW MEXICO—4

Phelps Dodge Corporation—Gallup American Coal Company—St. Louis, Rocky Mountain and Pacific Company—Albuquerque and Cerrillos Coal Company.

OHIO—4

Cleveland and Western Coal Company—Wheeling Steel Corporation—Carnegie Steel Corporation—American Sheet and Tin Plate Company.

OKLAHOMA—1

Rock Island Coal Company.

PENNSYLVANIA—49

Inland Collieries Company—Pennsylvania Coal Corporation—Pennsylvania Coal and Coke Corporation—Springfield Coal Mining Company—Eastern Coke Company—Tower Hill-Connellsville Coke Company—Republic Iron and Steel Company—Thompson-Connellsville Coke Company—Hecla Coal and Coke Company—Allegheny-Pittsburgh Coal Company—Consumers Mining Company—Hillman Coal and Coke Company—Pittsburgh Terminal Coal Company—Pittsburgh Coal Company—Westmoreland Coal Company—Peale, Peacock and Kerr—Lincoln Gas Coal Company—Creighton Coal Company—Ontario Gas Coal Company—Republican Collieries Company—West Penn Power Company—Oliver and Snyder Steel Company—Buckeye Coal Company—Pickands-Mather and Company—Berwind-White Coal Mining Company—Penelec Coal Corporation—Bethlehem Mines Corporation—National Mining Company—Maryland Coal Company—Pittsburgh Plate Glass Company—Barnes Coal Company—H. C. Frick Coke Company—Orient Coal and Coke Company—Ocean Coal Company—Hillman Coal and Coke Company—Keystone Coal and Coke Company—Vesta Coal Company—Crucible Fuel Company—Langeloth Coal Company—Pittsburgh and Eastern Coal Company—Carnegie Coal Company—Jos. H. Reilly Coal Company—Ebensburg Coal Company—Monroe Coal Mining Company—Imperial Cardiff Coal Company—Valley Smokeless Coal Company—Harwick Coal and Coke Company—Valley Camp Coal Company—Peabody Coal Company.

UTAH—18

Utah Fuel Company—United States Fuel Company—Columbia Steel Corporation—Royal Coal Company—Independent Coal and Coke Company—Carbon Fuel Company—Liberty Fuel Company—Peerless Coal Company—Spring Canyon Coal Company—Standard Coal Company—MacLean Coal Company—Lion Coal Company—American Fuel Company—Scofield Coal Company—Weber Coal Company—Grass Creek Fuel Company—Kenney Coal Company—Mutual Coal Company.

VIRGINIA—1

Stonega Coal and Coke Company.

WASHINGTON—1

Northwestern Improvement Company.

WEST VIRGINIA—24

Boone County Coal Corporation—Island Creek Coal Company—Byrne Gas Coal Company—Bethlehem Mines Corporation—Youngstown Sheet and Tube Company—Raleigh-Wyoming Coal Company—Pocahontas Fuel Company—Jamison Coal and Coke Company—New England Fuel and Transportation Company—Bertha Consumers Company—E. E. White Coal Company—Consolidation Coal Company—Glendale Gas Coal Company—Elm Grove Mining Company—Hitchman Coal and Coke Company—Windsor Power House Coal Company—Ben Franklin Coal Company—Lake Superior Coal Company—Landstreet Downey Coal Company—Crab Orchard Improvement Coal Company—Elkhorn Piney Coal Mining Company—Kingston Pocahontas Coal Company—Ephraim Creek Coal and Coke Company—Richland-Marshall Coal Company.

WYOMING—2

Union Pacific Coal Company—Central Coal and Coke Company.

CANADA—4

British Empire Steel Company—Dominion Coal Company—Hillcrest Colliery, Ltd.—International Coal and Coke Company.

Congressional Committee Again Reports in Favor of Fitzgerald Bill for Accident Compensation

AGAIN, for the third time in the past five years, the Fitzgerald bill (H. R. 487) to provide workmen's accident compensation for wage-earners in private employments in the District of Columbia has been favorably reported—and its passage urged upon Congress—by the House District committee. The report, submitted April 12 by Chairman Keller for the committee, declares:

"The measure which, after unusually full public hearings extending over a period of nearly five years, has now for the third time received the majority approval of your committee in preference to substitute proposals, is H. R. 487, and we urge its adoption as a just and adequate and reasonable compensation provision especially well adapted to meet the unique conditions existing in the District of Columbia."

In pointing out the merits of the Fitzgerald bill, the report says further:

"This bill is designed to meet the peculiar conditions existing in the District of Columbia. It was drafted after careful study of the occupational hazards in the District, and with special reference to the most economical methods of furnishing adequate accident compensation. Duplication of existing administrative commissions has been avoided, and—contrary to widely circulated propaganda through certain chambers of commerce and insurance journals—provision is made that this law shall result in no cost to the government. This bill embodies the best features of the most successful existing workmen's compensation laws and in most essentials it is based upon the United States employees' compensation law which was enacted by Congress in 1916.

"The District has the unenviable distinction of having still in force, without modification, the employers' common law defenses of 'assumption of risk,' 'fellow servant's fault,' and 'contributory negligence.' This condition has been overlooked by Congress while the doctrine that industries should bear the cost of work injuries through workmen's compensation laws has been commonly accepted. This neglect is in part due to a failure to realize that there is much haz-

ardous employment among structural ironworkers, carpenters, furniture movers, electrical workers, painters, laundry operatives, and wagon drivers—to mention only a few of the more hazardous occupations in the District.

"In harmony with the common desire to avoid unnecessary duplication of government commissions, this bill sets up no new bureau or commission but utilizes the experienced existing commission created by Congress ten years ago. This commission has for nearly a decade administered compensation benefits for public employees of the District of Columbia as well as for civilian employees of the government. Obviously much confusion will be avoided, by injured workers and others, if there be but this one authority in the District to which employees are to turn for their compensation in time of occupational injury. The economy of utilizing the equipment and the experience of the commission already created by Congress is of advantage to all concerned. This existing commission which has had successful experience in administering workmen's compensation for more than half a million employees of the United States and District of Columbia governments is especially well equipped to administer this compensation act for private employees in the District, estimated to be about 60,000. In response to an inquiry by the Senate District committee, the commission states: 'The commissioners are of the opinion that such an administration is entirely practicable.' "

Additional features of the Fitzgerald bill which commended it to the committee in preference to the substitute proposal known as the commercial insurance-Underhill bill, are thus set forth in the report:

No Cost to the Government

This bill provides that the total cost of this workmen's compensation, including the cost of administration, shall be borne by the industry. It provides that the assessments collected from employers shall be sufficient to cover whatever expenses of the United States Employees' Compensation Commission may be "properly chargeable to the administration of this act."

The $50,000 appropriation which is authorized is to be returned to the United States Treasury as soon as a sufficient surplus has been accumulated.

Director of the Budget Approves

The Director of the Budget has advised that this bill is in harmony with and does not conflict with the financial program of the President.

Uniformity Desirable Within District

In addition to providing that within the limited area of the District there shall be as little confusion as possible among injured workers as to the place where they shall seek their remedy, this bill provides a compensation scale approximately the same as that provided by Congress for federal employees and already enjoyed by the public employees of the District. This scale of compensation has already been approved by Congress and commends itself to your committee because it will secure as nearly as possible uniformity in the treatment of all occupational injuries occurring in the District.

Certainty of Payment and Economy

The employers' as well as the workers' protection is carefully safeguarded in this bill, and the committee has given long and careful attention to the most expeditious and economical methods of payment of benefits provided in the proposed act. Following the experience of a number of states (including Ohio, West Virginia, North Dakota, Nevada, Wyoming, Porto Rico, Washington, and Oregon) and with special regard to the peculiar conditions in the District, the committee has after mature deliberation decided that for the conditions found here, the employers, the workers and the community as a whole will be best protected by the simple and direct levying of an occupational tax upon each employer in accordance with the hazard of the particular employment. Absolute insurance that the injured worker will receive without question the benefits provided for him in the law is, of course, the first consideration. Evidence presented to the committee shows that in some of the states which are large enough to permit of granting to the employer an option to insure in a commercial insurance company, thousands of such employers have failed to insure their compensation risk. Numerous instances have been brought to the attention of your committee where a worker has been killed in the course of his employment and the dependent widow and children receive no compensation because the employer was not insured and was himself insolvent. In addition, there have been a number of failures among casualty companies in the compensation field and in at least one instance the state legislature felt called upon to appropriate a large sum of money to pay compensation to the helpless victims who had assumed that they were protected. Moreover, the committee has recognized that the situation in the District is unique and after careful study of this feature has concluded that where the coverage is, as here, too limited to permit of the establishment of a competitive fund with safety, it is wiser and safer, while making compensation the injured worker's exclusive remedy, to make at the same time the one district-wide mutual employers' insurance fund, under government supervision, but at no public cost, the exclusive method of carrying the risk. This will give to the injured employee absolute protection, his compensation being paid from the exclusive mutual fund and it being the duty of the commission to collect from each employer. This plan is vastly more economical, the "overhead" cost averaging in some of the states only about one-tenth as much as the approximately 40 per cent commonly utilized by the stock casualty companies for a number of years, including the 17½ per cent charge for "acquisition cost" which is taken year after year.

This appears unnecessarily expensive under the compulsory law for the District. The problem before us has not only been to hold out to injured workers and their dependents a promise of medical care and a proportion of wages on account of disability or death, but to establish a sound system which will secure these benefits to them without delay, in its entirety, without friction, and without fail.

This Plan Widely Supported

The simple direct assessment method of collecting employers' contributions under the supervision of the existing commission has been especially urged upon your committee by the wage-earners themselves, those for whom compensation protection is primarily to be established. The late President Gompers, of the American Federation of Labor, and the present national leader, President William Green, have particularly urged the adoption of this feature. The secretary of the Washington local of the International Union of Bakery and Confectionery Workers addressed a letter to the committee saying, "We do not believe that a compensation law should force an injured man in time of his greatest need to fight for justice against powerful companies financially interested in beating down his claim." This writer continued, "We understand that efforts are being made to substitute the Underhill bill for the Fitzgerald-Jones bill, so as to permit private insurance companies to profit by this new legislation. We emphatically protest that such a change would be harmful to the workers the bill is intended to benefit." Several experienced state compensation officials have appeared before the committee or have written to reenforce the statements of numerous civic and social welfare organizations in close touch with this problem in urging the superior merits of this bill, H. R. 487.

Assessment Method Constitutional

The assessment method of raising funds to provide workmen's compensation benefits has been held constitutional in Mountain Timber Co. *v.* Washington (243 U. S. 219). In this case the United States Supreme Court gave its opinion that the assessments which employers are required to pay are in the nature of an "occupation tax" levied against industry to provide payments to those disabled in employment. This decision states:

> We are clearly of the opinion that a state, in the exercise of its power to pass such legislation as reasonably is deemed necessary to promote the health, safety, and general welfare of its people, may regulate the carrying on of industrial occupations that frequently and inevitably produce personal injuries and disability with consequent loss of earning power, and may require that these human losses shall be charged against the industry, either directly or by publicly administering the compensation and distributing the cost among the industries affected by means of a reasonable system of occupation taxes. (Mountain Timber Co. *v.* Washington, 243 U. S. 243.)

In other words, the government acts merely as a collecting and disbursing agency.

Encourages Accident Prevention

Believing that accident prevention and the prompt restoration of industrial cripples to self-supporting employment are among the loftiest purposes of modern provision for those exposed to occupational hazards or maimed in the course of their employment, the committee approves the provisions of this bill for inspection of machinery and establishment of safety regulations. In states where safety orders are issued both by private insurance companies and state authorities much confusion and annoyance to employers results. Unification of this important work in the hands of the commission, which also supervises accident compensation, gives a practical check on the effectiveness of safety orders. Such unification is a necessary foundation upon which to build progress in industrial safety and accident prevention.

Many Superior Merits of This Bill

Entirely aside from the simple, economical compensation insurance feature which has occasioned most discussion, the Fitzgerald bill (H. R. 487) is notably superior to the Underhill proposal, H. R. 4, which has also been before this committee for several years. The H. R. 4 proposal attempts to set up entirely new machinery under the arbitrary power of a single individual despite the fact that the functions of compensation administration are in large measure judicial in character and that all practical experience under such legislation in America has demonstrated the desirability of having these matters determined by a commission of at least three members. The single headed commissionership is also undesirable for the making of rules and regulations requiring the installation of safety devices as set forth in this legislation. The proposal, H. R. 4, in addition to setting up new governmental agency with salaries from $4,500 up or down for deputies, assistants, stenographers, office furnishings, printing, etc., to be "paid as other salaries and expenses in the District of Columbia are paid," is so ambiguous in a number of its provisions as to furnish numerous apparent inconsistencies as, for example, a seemingly conflicting section which appears to tax insurance carriers in the District of Columbia 3 per cent upon their premiums collected in the District "in lieu of all other taxes on such premiums." Moreover, under H. R. 4, the employee's right to compensation, and whether the injury was received in the course of the employment, the extent of disability, the amount of average weekly earnings, as well as the amount of compensation payable, could be determined by agreement without proper supervision of administrative authority.

In adopting compulsory legislation of this character it should not be forgotten that the average wage-earner is not familiar with the detailed and specific provisions of complex compensation laws, he may be uneducated and ignorant, and yet, even further handicapped by the physical and mental effects of his injury, he would be placed in a position under H. R. 4 of negotiating with the professional claim adjuster of a casualty company or the employer. Under such conditions he might unwittingly agree to a settlement that would be unjust and unfair because under the additional disadvantage of believing many times that to disagree with the settlement offered by his employer will bring himself into disfavor—jeopardize his job. Furthermore, while the non-

compensated waiting period following the injury is in the Fitzgerald bill three days—the same as provided by Congress ten years ago for civilian employees living in the District of Columbia and elsewhere—the H. R. 4 proposal, although gradually liberalized in the course of several years, still in this respect deprives the injured employee of his compensation during five days. This longer limit means that large numbers of workers suffering disability of a fourth and a fifth day will receive no compensation. Also the bill (H. R. 4) cuts off the the child at the age of 16, just at the point where expenses for education become particularly acute in the average family, although the bill your committee recommends (H. R. 487) follows the wiser provision of continuing the protection to the age of 18, as is done under the existing law for civilian employees. A widow upon remarriage is cut off by H. R. 4 with only one year's compensation, instead of the usual two years' lump sum, as provided in H. R. 487.

The proposal H. R. 4 purports to compensate for occupational disease disabilities (although lines 4 to 8, page 50 of the same bill appear clearly to eliminate the possibility of such occupational disease compensation) and lists some 15 including those which rarely would occur in the District of Columbia, such as "miners diseases, including only celluliti, bursitis, ankylostomiasis, tenosynovitis, and nystagmus." The Fitzgerald bill (H. R. 487), of course compensates all occupational diseases on a uniform basis without unjust discriminations by the same method that Congress has already adopted for the government employees. H. R. 4 also contains a hernia provision which would make it practically impossible for any worker to secure compensation on this account. Numerous further discrepancies in H. R. 4 include such vital shortcomings as failure to provide for impartial medical examiner in case of dispute over the extent of the injury and satisfactory medical care. Owing to the above numerous other defects H. R. 4 after having been passed by the House by a close vote in 1924 did not receive the approval of the Senate District committee.

Referring to selfish commercial insurance company propaganda against the Fitzgerald bill, the report states:

"Since the protection of workmen is made compulsory by this bill, there is no opportunity for insurance companies to perform any service. To farm this protection out to private companies would not only create a waste of more than 35 per cent of the cost, but would continue the ugly contentions and ill feeling between the injured workmen and the employer or the substituted insurance company."

And it concludes:

"It would be unpardonable folly or worse to make this protection compulsory and let insurance companies 'compete' for the 'business' at an 'acquisition' expense of 17½ cents out of every dollar of total cost. This is a bill to protect workmen on a sound economic basis and is not designed to create business."

Are Accidents Increasing?

By Ethelbert Stewart
United States Commissioner of Labor Statistics

THE answer to the question, "Are Accidents Increasing?" is another question which is: "What do you mean by increasing?" The crude number of accidents reported in one year might be largely in excess of the accidents reported the year before, but this would not necessarily mean that accidents were increasing. In order to answer this question we must have complete and accurate reports on, first, the number of accidents; second, the amount of exposure to the hazards of industry.

The accidents of 1925 have apparently exceeded those of 1924 as certainly the accidents of 1923 greatly exceeded those of 1922. A careful statistician will ask two questions before he attempts to answer the question as to whether or not accidents are increasing: First, "Are there more men at work, or were men working more hours in 1923 and 1924 than they did in 1921 and 1922?" In other words, is there a greater one-man hour exposure and what is the relation of the number of accidents to this one-man hour exposure? Second, "Is there more complete and better reporting of accidents and of one-man hour exposure now than formerly?" An increase in accidents may mean a greater volume of men at work. It may mean better reporting.

At present we have no serious machinery for the collection of accidents and especially for the collection of the base upon which to compute a rate, **this base of course being the one-man hour exposure** in the various industries being studied.

On the face of it, accidents are increasing, yet in the only industry about which we really know anything, that of iron and steel, accidents are decreasing.

The Bureau of Labor Statistics has for a series of years collected accident reports from the iron and steel industry in such a way that we can tell for the industry as a whole, and for the various departments of the industry and by occupations within the departments, whether or not accidents are increasing or decreasing. That is to say, we get the one-man hour exposure down to this detail and connect the accidents with this immediate exposure. The result of these figures is placed in the hands of the industry which several years ago began to take the matter of accident prevention seriously and used these figures to accomplish this purpose. The trend has been gradually and practically continuously downward. I hesitate

very much to apply these figures, however, to industries which have not applied safety methods backed up by an intelligent survey of what parts of the industry are dangerous, or which have not applied such methods for any such length of time as has been true in iron and steel.

I do not believe that the present trend in iron and steel is applicable to industry as a whole. **My own judgment is that accidents are on the increase; that the reasons for this are:**

First: In every recovery from a depression large numbers of new men are taken on and the accident rate for new men is always very much greater than for employees older in point of service;

Second: There is a general speeding up of workers, both skilled and unskilled, a production per man hour increase which registers a greater number of accidents, and this would probably especially affect the accident rate among new men;

Third: Better reporting;

Fourth: During the War a great deal of safety work was done by a large number of firms and even where a safety engineer was not added to the personnel of the establishment, yet the care and safety of employees at work was very generally made a function of the welfare administration. Since the War a great many of these positions have been abolished and much of the accident prevention work which requires a mechanical engineer has been thrown into the welfare departments presided over by sociologists.

The United States Bureau of Labor Statistics' interest in accident statistics is primarily for the purpose of accident prevention.

The character of the figures collected and the methods used in their collection must be correlated with the purpose of the investigation in advance. It is seldom that figures collected without knowing what they are to be used for can confidently be used for anything.

To analyze accident figures so as to be helpful in the matter of accident prevention we must know where the accidents are greatest in proportion to the men employed, and to the occupation of the men employed in these places. The crude accident rate must be based upon the total employees and the number of hours they work in an industry or an establishment. The refined rate must be based upon these same factors as they apply to departments and occupations within those departments. As stated above, statistical information must be compiled with a view to the purpose it is to serve.

The insurance carriers want to know the number of accidents in relation to the volume of pay roll. They are not interested in the number of employees nor the one-man hour exposure except as the insurance companies wish to do accident prevention work. Their premium rates are based on a percentage of pay roll and this is the specific information they want and without which they could not do business. There is absolutely no objection to the insurance companies having this information and we are ready to aid them in any and every way in our power, but we insist that these figures are worthless for accident prevention purposes.

Wage increases which would swell the volume of pay roll without increasing the number of one-man hours would show a decrease in accidents where no such decrease, measured in fingers, thumbs, legs, and arms, occurred at all. In fact, there might have been an increase.

By the same token during a period of general wage reduction, the accidents per one thousand dollars of wages paid might greatly increase but this would not be true as measured by the number of men actually exposed to the hazard. What the insurance companies want is a ratio of accidents to wages for the purpose of determining an insurance premium rate. On the other hand, what the cost of production men want is the accidents based upon production to enable them to ascertain just how much the workmen's compensation costs per ton of coal or per ton of locomotive.

Here again, there is not the slightest objection to a record being kept of production nor is there any objection to its relation to the accident cost. The only comment is that we do not want to see figures secured for one object and purpose, used to show a condition which can not be shown by any sort of fair use of such figures. The insurance company knows perfectly well that it can not use volume of pay-roll figures to intelligently plan accident prevention work. The mine superintendent or safety engineer derives no benefit from his point of view from the accident cost figures which the bookkeeper wants to charge into the price of coal. In the first place, it isn't the coal that gets hurt, and in the second place, coal tonnage or production can not be distributed over those parts of the mine or throughout those occupations in which hazards are greatest.

The Bureau of Mines since 1916 has been giving the actual number of men at work in the mines both underground and aboveground. In other words, the man-hour exposure in addition to the number of tons of coal per death.

Because of the increase in productivity of labor in the coal

mines occasioned by the introduction of the machine to some extent, by better methods of handling coal, and to some extent by the increase in the productivity of labor itself, the volume of coal per man (at least underground men) has materially increased. Let us see what happens when we compare these two sets of figures based upon **output** with those based upon **exposure.**

There has been an increase in **deaths per million tons of coal produced,** from 3.77 in 1916 to 4.17 in 1924; an **increase of 10.6 per cent.** The increase in **deaths per million hours of human exposure** was from 1.31 in 1916 to 1.59 in 1924, or an **increase of 21.4 per cent.** This contrast tells its own story.

It is difficult to see why there should be cross currents or conflicts here. Those who want compensation cost in its relation to production for the purpose of charging it into the price are just as interested in reducing this cost as they are in reducing any other cost. We who want these figures for accident prevention purposes to reduce the number of fatalities in coal mines, the number of injuries in not only that but all other industries, want these figures to assist us in eliminating as far as is humanly possible the killing and maiming of men and women.

The effect of this accident prevention will be to reduce compensation cost of production and to do it more effectively than it can be done in any other way. It will reduce the ratio of accidents to volume of pay roll and hence the insurance cost. There is therefore no reason why all should not work together and for each other.

I may say that the Bureau of Labor Statistics in its attempt to secure an intelligent basis for accident rates has made arrangements with the firms that furnish the Bureau with its volume of employment, the number of men on the pay roll at a given date, to also furnish us with their statistics on accidents distinguishing only between fatal and nonfatal. This gives us at least a start toward developing an accident rate by industries, though we are not yet prepared to attempt, outside of iron and steel, to show accident rates by departments within an industry.

I have not as yet published any of the results of our efforts along these lines, but will probably do so within a few months. This will at least give us a start on a comparison of accidents with human exposure which will give us a chance to tell definitely some time whether accidents are really increasing or not.

I append an analysis of such figures on the coal industry as are available, but will not undertake to analyze these tables now.

MEN EMPLOYED, AVERAGE PRODUCTION PER MAN, MEN KILLED, FATALITY RATES IN COAL MINES IN THE UNITED STATES, 1907 TO 1924.

Year	*Tons mined* (Short tons)	*Men employed*		*Average Production per man*		*Men killed*	*Fatality rate per 1,000,000 hours exposure*	*Production per death* (Short tons)	*Fatalities per 1,000,000 tons mined*
		Actual number	Equivalent full year workers	Per year	Per day				
1907	477,892,536	674,613	519,452	708	3.07	3,242	2.08	147,407	6.78
1908	409,309,857	678,873	441,267	603	3.09	2,445	1.85	167,407	5.97
1909	460,807,263	666,535	.....	691	....	2,642	....	174,416	5.73
1910	501,596,378	725,030	531,689	692	3.14	2,821	1.77	177,808	5.62
1911	496,371,126	728,348	534,122	682	3.10	2,656	1.66	186,887	5.35
1912	534,466,580	722,662	541,997	740	3.29	2,419	1.49	220,945	4.53
1913	570,048,125	747,644	593,131	762	3.20	2,785	1.57	204,685	4.89
1914	513,525,477	763,185	526,598	673	3.25	2,454	1.55	209,261	4.78
1915	531,619,487	734,008	511,598	724	3.46	2,269	1.48	234,297	4.27
1916	590,098,175	720,971	565,766	818	3.48	2,226	1.31	265,094	3.77
1917	651,402,374	757,317	634,666	860	3.42	2,696	1.42	241,618	4.14
1918	678,211,904	762,426	654,973	890	3.45	2,580	1.31	262,873	3.80
1919	553,952,259	776,569	542,217	713	3.41	2,317	1.42	239,082	4.18
1920	658,264,932	784,621	601,283	839	3.65	2,271	1.26	289,857	3.45
1921	506,395,401	823,253	474,529	615	3.56	1,987	1.40	254,854	3.92
1922	476,951,121	848,932	405,056	565	3.92	1,979	1.63	233,576	4.15
1923	657,903,671	860,560	560,000	764	3.91	2,458	1.46	267,492	3.74
1924	571,613,400	779,613	499,894	733	3.81	2,381	1.59	240,072	4.17

FATALITIES AT COAL MINES IN THE UNITED STATES, 1916 TO 1924, BY PLACES OF OCCURRENCE AND CAUSE.

(Fatalities per 1,000,000 hours exposure.)

Cause	1916	1917	1918	1919	1920	1921	1922	1923	1924
Underground:									
Falls of roof or face...	962	1,218	1,294	1,100	1,132	1,024	905	1,162	1,052
Cars and locomotives	390	482	506	381	408	341	341	415	348
Explosions, gas or dust	170	362	129	191	164	116	311	372	536
Explosives.....	146	111	135	206	128	152	92	114	100
Electricity.....	90	79	88	69	76	80	74	75	81
Miscellaneous.....	269	127	129	130	112	118	77	117	99
Total, Underground....	2,027	2,379	2,281	2,077	2,020	1,831	1,800	2,255	2,216
Shaft, Total.....	49	52	52	53	56	36	41	46	29
Surface:									
Haulage.....	75	114	118	93	78	45	54	59	70
Machinery.....	26	51	47	28	29	17	23	26	8
Miscellaneous.....	49	100	82	66	88	58	61	72	58
Total, Surface.....	150	265	247	187	195	120	138	157	136
Grand Total.....	2,226	2,696	2,580	2,317	2,271	1,987	1,979	2,458	2,381

FATALITY RATES AT COAL MINES IN THE UNITED STATES, 1916 TO 1924, BY PLACE OF OCCURRENCE, AND CAUSE.

(Fatalities per 1,000,000 hours exposure.)

Cause	1916	1917	1918	1919	1920	1921	1922	1923	1924
Underground:									
Falls of roof or face...	.57	.64	.66	.68	.63	.72	.74	.69	.70
Cars and locomotives	.23	.25	.26	.23	.23	.24	.28	.25	.23
Explosions, gas or dust	.10	.19	.07	.12	.09	.08	.26	.22	.36
Explosives.....	.09	.06	.07	.13	.07	.11	.08	.07	.07
Electricity.....	.05	.04	.04	.04	.04	.06	.06	.04	.05
Miscellaneous.....	.16	.07	.06	.08	.06	.08	.06	.07	.07
Total Underground.....	1.19	1.25	1.16	1.28	1.12	1.29	1.48	1.34	1.48
Shaft Total.....	.03	.03	.03	.03	.03	.03	.03	.03	.02
Surface:									
Haulage.....	.05	.06	.06	.05	.04	.03	.05	.04	.05
Machinery.....	.02	.03	.02	.02	.02	.01	.02	.01	.01
Miscellaneous.....	.03	.05	.04	.04	.05	.04	.05	.04	.03
Total Surface.....	.09	.14	.12	.11	.11	.08	.12	.09	.09
Grand Total.....	1.31	1.42	1.31	1.42	1.26	1.40	1.63	1.46	1.59

What the Accident Record Shows

By Leonard W. Hatch

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RECENTLY the question whether industrial accidents are increasing has been widely asked and discussed by many different individuals and organizations—public officials, employers, employees, insurance companies, and trade and civic organizations. Three times within a few months during the past year the writer, who is supposed to know something about it in the leading state, was asked to discuss the question publicly.

I shall discuss the question here in the light of New York State experience and records about which I know most. However, I believe that what is true in this state is in general representative of the situation in other states as well.

So far as I am able to discover, what has started this query is the indisputable fact of an increase in the number of accidents reported to the public authorities in 1923 and 1924. In New York State that increase was as follows: Starting in the years ended June 30, 1920-21 and 1921-22, with just about the same numbers of reported accidents for two years (294,469 and 293,844), the number for the next year was 346,845, an increase of 53,001, and for 1923-24 was 371,708, or a further increase of 24,863. In other words, in two years the number of reported accidents had increased 26 per cent. This refers to all accidents. A very much larger increase occurred for fatal accidents. From a total of 1,177 reported fatalities in 1920-21 and approximately the same number in 1921-22, the number of reported fatalities rose to 1,665 in 1922-23 and to 1,927 in 1923-24, or an increase of over 60 per cent in two years.

Now of course the first thing to look out for when making comparison of reported cases is variations in degree of reporting whether due to changes in law as to what is reportable or changes in completeness of reporting for the same field. In this case, however, there is no reason to believe that this element was any great factor, and certainly was not the main element, causing the increase. That being true, **the rise in reported accidents reflects a genuine and large increase in accident occurrence.**

What is the meaning of such an increase in accidents? Particularly, what does it mean as to accident prevention? Does it spell failure of the safety movement? There has been some tendency to jump to conclusions about this, and some false impressions seem to have been created. Certainly such an increase is a very serious matter and one that should arouse all those interested in conservation of human welfare. For that very reason it is important to make sure if we can just what it does and does not mean.

The first step toward clarity on this point is to compare the course of accident occurrence with the course of employment. If more employees were working and so exposed to accident hazards the increase in accidents has of course a very different meaning from what it would have if the number of employees did not rise.

All who pay attention to such matters are familiar with the fact that since 1921 we have been in a period of rising business activity, that is, in the recovery and expansion phase of a business cycle, following the depression of that year. This rising tide of business activity extended to practically all fields of industrial and commercial enterprise. During the period for which total reported accidents were noted above, factories in New York increased their working forces 15 per cent; builders in the state increased construction work some 50 per cent at a conservative estimate; retail trade expanded in the country at large something like 20 per cent and New York shared fully in this; and transportation which is the servant of production and trade grew in volume with them.

Now this rising tide of business activity brought an increase in employment with it, of course. So that we may say at once that the increasing accident occurrence from 1921 to 1924 was an accompaniment of increasing employment in the same period. More workers were exposed to the existing accident hazards and naturally more were injured. Thus far, therefore, we find nothing strange about this phenomenon of an increase in number of accidents. It is no more remarkable in fact, than the reverse experience from 1920 to 1921 when employment declined accompanying the slump in business activity as reflected in the records of factory employment, building work, retail trade, etc., and there was a heavy decrease in reported accidents in New York State from the year ended June 30, 1919-20 to that of 1920-21, a decrease about equal, in fact, to the above noted increase from the 1921-22 year to the 1922-23 year.

All this is really quite elementary, but it is worth going over in this fashion, I believe, in order to get a true view of the situation. In a word, what we experienced in 1923 and 1924 was as usual a course of accident occurrence corresponding with the course of the business cycle.

It is of interest to consider the significance, if any, of the increase in accidents for the problem of accident prevention. To get real light on this point it would be necessary to go one step further in the analysis of the course of accident occurrence and find out whether the increase in accidents was greater or less than the increase or decrease in employment or exposure to accidents. Such a comparison of accident occurrence with amount of employment unfortunately cannot be made with the data at present available for the period above referred to. I not only report this frankly but call particular attention to it. It reflects a general situation with respect to public accident statistics which is true not only for New York but for all the other states as well. The explanation of it lies in the fact that under our compensation laws figures for accident occurrence are comparatively easy to compile as the necessary data come into the public records automatically in the process of administering compensation, but the employment or exposure data are not required for such administration and must be specially collected from a large field in states with important industries, and authority and funds for such collection and compilation have largely been lacking. Such exposure data should, of course, be collected. Rising employment, as what has been said above illustrates, produces an increase in accidents occurring which really obscures what may be going on with respect to the hazards which produce accidents. **The recent increase in number of accidents serves to emphasize, therefore, both the lack, and the need, of employment as well as accident figures in our public accident statistics, so that rates may be compiled which alone can afford measurement of accident hazards as a guide to prevention work which will be independent of the disturbing effect of the ups and downs of employment.**

The remedy for this archaic condition in our public accident statistics is primarily a matter of securing proper public authority or appropriations, or both. I am glad to be able to note in this con-

nection that the department of labor with which I am connected is making an effort to correct this condition in the leading state. The American Association for Labor Legislation and the American Statistical Association are, of course, interested in adequate accident statistics as an indispensable aid to intelligent and effective accident prevention, and, it may be added, for study of compensation cost also. The interest and support of these organizations will greatly aid endeavors in this and other states, and by the federal government, to get this kind of public service properly done.

But not to digress further on this technical point, and returning to the general topic of whether accidents are increasing, let me give you some view of the course of accidents in New York State in the last two years, coming nearer down to date than with the figures above, not in this instance for all industries and all accidents but for fatalities in the field of manufacturing, about which more complete data for present purposes are available. In confining attention to manufacturing we shall be covering the largest single field of industry in the state and the one in which occur 45 per cent of all compensated accidents, and about one-third of all fatal accidents. Fatalities represent, of course, the most serious type of injuries.[1]

A review of reported fatal accidents in 1924 and 1925 shows the following course of a five months' moving average:[2]

Reported Fatalities in Manufacturing in New York State

Five Months With Middle Month in—	*Reported Fatalities*	*Five Months With Middle Month in—*	*Reported Fatalities*
December, 1923	52	January, 1925	44
January, 1924	56	February, "	46
February, "	53	March, "	47
March, "	53	April, "	49
April, "	55	May, "	49
May, "	53	June, "	49
June, "	46	July, "	48
July "	44	August, "	48
August, "	42		
September, "	38		
October, "	39		
November, "	42		
December, "	44		

[1] The data here used are those for reported fatalities and course of factory employment published in the monthly *Industrial Bulletin* of the New York State Department of Labor.

[2] The moving average eliminates or reduces erratic variations from month to month. There is no reason to believe that degree of reporting varied in this period.

These figures answer the question of whether industrial accidents are increasing thus: Fatal accidents in manufacturing declined in number quite steadily from the beginning of 1924 through that year until Fall; then they rose steadily until the Spring of 1925 but not to as high a number as in the early part of 1924, and from Spring until Fall of 1925 have remained at about the same level.

Here again it is necessary to take account of the employment element and observe the course of fatal accident occurrence in relation to the course of employment. The first thing that such a comparison shows is that the up and down of fatal accidents was the natural accompaniment of an up and down of employment, the two corresponding closely in direction and duration. That is, employment during 1924 was declining until Fall, then it rose until the Spring of 1925 where it remained nearly the same until Fall but not as high as in the early part of 1924. The following employment indexes bring this out:

INDEX OF EMPLOYMENT IN NEW YORK FACTORIES

Five Months With Middle Month in—	*Employment Index*	*Five Months With Middle Month in—*	*Employment Index*
December, 1923	100	January, 1925	92
January, 1924	99	February, "	92
February, "	98	March, "	93
March, "	97	April, "	92
April, "	95	May, "	92
May, "	93	June, "	91
June, "	91	July, "	92
July, "	89	August, "	91
August, "	89		
September, "	89		
October, "	90		
November, "	91		
December, "	92		

In this case we can go on to answer the final question of whether fatalities declined and then increased faster than employment or not. By means of the employment index dependable estimates of number of employees in factories each month are available and, with these as a base, reported fatality rates per 100,000 employees may be computed. Such rates, using, as before, moving averages for five months, are as follows:

REPORTED INDUSTRIAL FATALITIES PER 100,000 EMPLOYEES* IN NEW YORK FACTORIES

Five Months With Middle Month in—			*Five Months With Middle Month in—*		
December,	1923	4.55	January,	1925	4.20
January,	1924	4.94	February,	"	4.39
February,	"	4.73	March,	"	4.44
March,	"	4.77	April	"	4.68
April,	"	5.05	May,	"	4.68
May,	"	5.01	June,	"	4.73
June,	"	4.44	July,	"	4.63
July,	"	4.33	August,	"	4.63
August,	"	4.13			
September,	"	3.74			
October,	"	3.80			
November,	"	4.05			
December,	"	4.20			

*Wage-earners.

If fatalities and employment had declined and increased at the same rate the above numbers would, of course, have remained the same. But what we find is that the number of reported fatalities per 100,000 employees declined when employment went down and then increased when employment went up. In other words, it appears in striking fashion that the reported fatality rate goes up when employment is increasing and declines when employment is decreasing.

I have already emphasized that increase or decrease in number of accidents with employment is entirely normal. It is now to be noted that increase or decrease of accidents faster than employment is also normal; in other words, the course of reported fatalities in relation to the course of employment in factories just traced for 1924 and 1925 was quite to be expected. The normality of this result under changing employment conditions I predicate with more confidence because it corresponds with results which have been brought out in much better data—the best public accident statistics in this country so far in fact—of the United States Bureau of Labor Statistics for the iron and steel industry.

But why is an acceleration of the accident rate under increasing employment to be expected? In the answer to this is to be found a very important lesson for the safety movement; in fact, I believe the most important general lesson for guidance of industrial accident prevention at the present time.

There are two elements in accident causation, the mechanical and the human. Accident prevention deals with the former by means of mechanical safeguards and safety engineering; with the latter by the teaching of good housekeeping and safe conduct. Between these two processes there is a wide difference in the stability of the ground which is gained by safety efforts. To protect a machine by guards is not an extended process and once done the machine stays safe so far as the purely mechanical element is concerned. But teaching good housekeeping and safe conduct in workplaces is a slow process of education, both of workers and supervising authorities, and the results "stay put" only under continuous maintenance of teaching and morale of old employees, while with the advent of new employees the whole slow process has largely to be built again from the bottom as it were. Furthermore, increase of force occurs for expansion of production and is likely, therefore, to be accompanied by greater absorption of management, which in the last analysis sets the pace for safety, in production. Finally, in the larger swings of business activity and employment there is the element also of the new undertakings which are started. In these particularly the human element in accident causation is likely to be overlooked entirely at first. The mechanical element receives much prompter attention either because of early state or insurance company inspection, or because new machinery and equipment is to-day constructed more safely than ever before.

Accidents naturally increase faster than employment, therefore, because increase in working forces brings an increase of hazard growing out of the human element in accident causation. I shall not stop to point out how the same general point is revealed in the reasons for the similar phenomenon which occurs in the relation of accidents to employment when the latter falls.

The moral, therefore, to be drawn from all this and from the observed and natural up and down of accident occurrence with rise and fall in employment is that the problem of producing a general level of safety conditions in industry high enough to prevent the rather paradoxical phenomenon of an increase in industrial accident hazards in times of rising business prosperity is mainly a problem of safety education rather than of mechanical safeguarding.

Progress in Accident Prevention

By Lewis A. DeBlois

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THERE are three methods by which accidents may be prevented:

(1) Through protection, or what is commonly termed "guarding";

(2) Through education, so that the hazard may be recognized and avoided;

(3) By elimination or reduction of the hazard itself.

The first method is quick, simple and cheap, but its success rests entirely on a substructure of safety education. For example, the purchase of 1,000 pairs of protective goggles for use in a foundry means nothing until the employees have been educated to wear them.

The third method—the correction of the hazard at its source, sometimes termed "engineering revision"—is fundamentally sound but slow and expensive. It cannot be effectuated except through education: Those in positions of executive authority must be educated in the value of accident prevention to the point of authorizing the necessary expenditures and the engineering fraternity must be educated to the point of giving more thought to safety in planning and design.

Safety education, then, is not merely one of the methods by which accidents may be prevented but is the very basis of all accident prevention. Without it no real progress can be expected, no matter what signs, slogans and safety devices have been erected.

Safety education rests primarily upon the inculcation of a new point of view on accidents and the value of human life. It seeks to teach the individual that accidents do not "happen," but are caused, and that the causes are preventable. It tells him that prevention cannot be accomplished solely by those in executive authority; that tacit approval of the safety movement gets no results, but that he, as a unit, must take an active part, individually and cooper-

atively. It strives to awaken his conscience to the national disgrace of an annual two billion dollar loss and to the agony and suffering which can never be entered in the ledger. But to do these things safety education must break down the old concepts, mental attitudes and habits of thought and action that are of racial origin and persistence.

If accident prevention were a mere matter of physical changes in the working environment we would have been justified in expecting marked statistical indications of national progress years ago. But accident prevention is not that—it is essentially an educational movement requiring the establishment of a new point of view to be applied not only to our industrial activities, but to every aspect of our lives. Who is there that can answer the question, "How long does it take to alter the fundamental viewpoint of a nation of 112 million people?"

Whether accidents are increasing or decreasing, it is important to keep the following points in mind:

(1) Ninety per cent of our population is white, but only 77 per cent is native and only 55 per cent is of native parentage.

(2) In the twelve months ending June 30, 1924, we admitted 707,000 alien immigrants; 10,000 were absolutely illiterate.

(3) Only 0.5 per cent of our 196,000 manufacturing establishments are large enough to employ over 1,000 employees. Ninety-two per cent employ less than 101 employees, but in these scattered and diverse factories there are 2½ million workers who must be reached.

(4) Industry is rapidly becoming mechanical and with mechanical production and mass production the hazards become intrinsically more severe. We have no measure of these changes, but it is interesting to note that the value of stationary electric motors manufactured in this country jumped from 58 millions in 1921 to 84 millions in 1923 with no marked changes in exports.

(5) The new employee is from two to five times as likely to be accidentally injured as the employee of longer service. With industrial prosperity more new employees are taken on and injury frequency increases.

(6) Prosperity engenders carelessness; employees are more amenable to education and control as the employment curve declines.

Speaking for the National Safety Council, I can say to you that statistical records of its various trade sections show favorable indications. In many instances frequency rates, severity rates, or both, have been materially decreased. The members of these sections, however, usually represent but a small part of American industry, and their accomplishments in accident prevention are not necessarily indicative of national progress.

In default of marked indications of national progress, where should we look for encouragement? It is natural to suppose that the favorable results of accident prevention work would first manifest themselves in the experience of large corporations, because such corporations would have been the pioneers in accident prevention and would have carried the work further and with more liberal expenditure of funds than the smaller manufacturers. This has been actually the case and when we examine their experience we find ample encouragement for belief in the ultimate efficacy of the safety movement. Not only have accident frequency and severity rates in such concerns been consistently lowered, but phenomenal records have been made in the way of prolonged periods during which no "tabulatable" injury has occurred. Smaller plants have sometimes been able to accomplish three or four years with no accidents, while larger plants have gone without accidents for several consecutive months. The most striking record the author can cite is that of the Clark Thread Company in Newark, New Jersey, with 4,800 to 5,000 employees which had 268 consecutive days without an accidental injury. This record is the equivalent of somewhat more than 1,300,000 man-days. If thread-making seems to you rather safe work, we can cite the Edgar Thomson Works of the Carnegie Steel Company with 414,000 man-days to its credit or the Consolidated Works of the Illinois Steel Company with 444,400 man-days. In the explosives industry we have the Fuze Works of the duPont Company with 381,300 man-days and also the record of seven years with only one time-losing accident, costing $18. Many other equally significant industrial no-accident records can be cited.

These prolonged no-accident records are, to my mind, the

most encouraging symptoms of real progress. Let it be understood that they are not "luck" and are only achieved after months and sometimes years of patient, plodding effort by payroll and salaried men alike; safety education must come first and then "the safety spirit" before the goal is reached. These records teach us the great, salient truth: **accidents can be eliminated—** not only those we always knew **how** to avoid but even those we have been pleased to term "unavoidable." If there exists any exception it is among the great natural catastrophes, such as earthquakes and tornadoes. The truly industrial accident does not have to occur! The safety enthusiasts conceived this truth and American industry has proved it.

The safety movement has not progressed faster toward fruition because the industrial executives, especially those of the medium-size and smaller companies, have not learned this lesson. They do not yet know that industrial accidents do not have to happen and do not realize that successful accident prevention yields larger dividends than almost any other industrial enterprise. They have been disposed, heretofore, to leave safety work largely to the foremen and to minor executives.

This condition cannot maintain long and there is reason to believe that the progress of the safety movement will be far more rapid in the future than it has been in the past. In a few more years we may, perhaps, be justified in expecting its success to be clearly reflected in national and state industrial accident statistics, providing, of course, we have at that time statistical information from which we can draw reasonable conclusions.

What Factors Offer Most Promise in Organizing for Future Accident Prevention?

By Richard H. Lansburgh
Pennsylvania State Secretary of Labor and Industry

THERE can be no question as to the need of organizing for future accident prevention. In thinking of the ways which offer most promise in such organization it is well first to consider some of the factors which are at work to-day to greatly increase the number of industrial accidents. That such accidents would materially increase were it not for organized moves to promote safety is true without question. Many of the organized methods which have been used for the past ten years in reducing accidents must be remodeled on the basis of experience and must be developed so as to promote industrial safety.

The first flush of safety drives is gone. Safety slogans have become hackneyed and safety methods have become routine. This means that safety drives must be supplemented in industry with hard-boiled safety organizations which are kept up to the minute in effectiveness and on which responsibility for accident reduction will be placed just as directly as responsibility for getting out production is placed on those in charge of that phase of the business. Many plants have developed this type of safety organization and if accidents are to be reduced the number of such organizations must be materially increased. This is particularly true because the great impetus toward accident reduction which was the result of compensation legislation has been slowing up. Schedule rating of plants and the opportunity, in some states, to become self-insurers and benefit financially by each accident that is avoided has, in some measure, counteracted the tendency to slow up on safety programs due to familiarity with payment of compensation and compensation insurance premiums. However, the first rush toward the development of safety methods due to the enactment of compensation legislation is over.

We are, industrially, more and more in a machine age. Machines not only for producing but for transporting and for loading and

other common labor work are used. Although compensated in part by a percentage decrease in ignorant labor, the development of such machinery must create additional accident hazards. Furthermore, in some mining industries, particularly in anthracite mining, exhaustion of those veins most easily reached makes operations more complex and tends toward an accident increase. Furthermore, there has been an extension of dangerous occupations, such as tunneling, bridge building, structural iron working, which is unprecedented and seems to have no immediate end.

The example of highway recklessness which has come from placing high-powered mechanisms in the hands of many of our citizens who have been unaccustomed to think of the common sense rules of the road seems to have been carried into the factory and into the mine. The man who recklessly drives his automobile to and from work will be reckless while he is at the factory, and highway recklessness seems to have been carried into the industrial world more than the example of industrial safety has been carried to the highway.

What we may say regarding those factors which promise most for accident prevention must not be said lightly, but rather with our eye upon these factors which make for increase. For the moment, to hold accidents where they are is progress, and we must organize strongly if we expect a decrease.

We have, in the past, paid too much attention to the number of accidents and too little to exposure records. We must develop means of estimating exposure adequately, but in doing so must be careful not to swamp ourselves in the effort to develop absolutely accurate figures. In some industries such figures can be computed accurately, but we should be willing to use estimated figures rather than none in such industries as building construction and contracting. Statisticians must develop means of estimating exposure. Only exposure data will answer the statement frequently presented that it is not accidents which are increasing but rather business.

Sound methods of statistical presentation will form the basis for accident reduction organization within the next ten years. Statistics will be helpful not only in adequately presenting exposure but in presenting accident cause. The efforts of the United States Bureau of Labor Statistics to have state departments develop standard methods of analyzing accident data are just beginning to bear fruit. Great strides have been made in the last year in Illinois and Ohio,

and we have a definite program on foot in Pennsylvania to better our methods of statistical presentation which we feel are already among the best. Given cause analyses of accidents, all those organized for accident prevention have real targets at which to aim. Half of our safety efforts have been misdirected for lack of such targets.

The realization of the extent to which accidents and particularly serious accidents are caused by factors over which employees have control cannot be reached until methods of statistical presentation are such as to clearly indicate this condition. In the opinion of the Pennsylvania Department of Labor and Industry, each year a larger percentage of industrial accidents are preventable only by safety education of the worker. Safety education, as has just been shown, to be effective must include all phases of safety, particularly highway safety as well as industrial safety. Any educational program must be directed toward making a hero of the man who is safe rather than of the man who is successfully reckless. The American motion picture industry is now supposed, by certain European countries, to be exerting a baneful influence on their people and on their commerce. Without wishing to blame all of the ills of the twentieth century on this industry, it is certainly no exaggeration to say that much of the tendency toward recklessness can doubtless be traced to the lessons of the films. The film offers the same opportunity in safety education that it has offered for education in recklessness. Adequate statistical presentation of accident cause will give a real foundation on which we can determine the lines along which safety education should be developed.

One of the chief means of organizing for future accident prevention must be to correlate closely the activities of all those who are now working more or less separately toward the same end. Some individual industries are correlated more or less through the National Safety Council. But the efforts of the National Safety Council have not been entirely coordinated with those of the various state departments or with those of the American Association for Labor Legislation. Industry, the National Safety Council, state and federal government, the American Engineering Standards Committee, the American Association for Labor Legislation, and all other agencies must cooperate and correlate their efforts. We feel in Pennsylvania that we have made some progress within the last year toward such correlation and will make more progress shortly. We are closely

allied with the National Safety Council and with the American Engineering Standards Committee work as well as with the various local safety councils throughout the state. We are interested in the development of new local safety councils and we are definitely engaged in safety programs in cooperation with individual industries.

No such program of cooperation can be developed unless state factory inspection work is placed upon a professional basis. The professionalization of factory inspectors offers one of the real opportunities for accident reduction. We have it placed upon such a basis in Pennsylvania and expect that it will remain so. The new director of our bureau of inspection is a trained engineer who was a safety engineer before coming with the department five years ago, and who recently has been in charge of the development of all safety codes and other regulations of the department. We have under his direction seven division supervising inspectors located throughout the state to whom the factory inspectors report directly. On these supervisors the success of our operations largely depends. We have replaced the supervising inspectors in these divisions in three instances with highly trained men, two of whom are engineers. The other supervisors who remain are equally competent men. We have, in the past year, appointed about twenty new inspectors within the department, each one of whom is either a college graduate, generally in engineering, or who has had long experience in manufacturing industry.

These changes, together with definite steps which have been taken to further educate the members of the factory inspection force who have been retained by us, have placed this force on a one hundred per cent professional basis. They can take analyzed causes of accidents into their districts and reduce hazards.

In addition to this, when we desired to find the successor to the director of the bureau of inspection, in the development of codes, we went to the National Safety Council in Chicago, and secured a safety engineer of long experience who took up his duties as director of the bureau of industrial standards of our department on the first of January. Such an organization merits and secures the confidence of employers, employees, and all others working for safety in Pennsylvania, and makes possible real cooperation between the state department and others interested in safety within the state.

Another factor offering most promise in organizing for future

accident prevention is the progress which has been made in the development of uniform safety codes through the American Engineering Standards Committee and the adoption of such codes by the various states. Of course, I feel that it is fundamental that these national codes be subjected to criticism from the various states prior to their adoption if they are to be enforceable within the state after promulgation. It is fundamental that any safety code which does not have the cooperation of a reasonable number of employers in industry will be unenforceable or very difficult of enforcement. Therefore, national codes, to be adopted by states, must secure the approval of the employers within the state prior to passing the national body, just as codes developed within a state must receive such approval. Arrangements have been made by the National Engineering Standards Committee for such prior approval and I feel that with this assured, more of the leading industrial states can adopt the national safety code program as the foundation of their own program and that the uniformity which will result will mean much for reducing accidents. This is particularly true because it will mean that much machinery, heretofore unguarded, will be guarded at the time of manufacture. Not alone in the development of national safety codes is progress being made in safety code development. For instance, in Pennsylvania our bureau of industrial standards has charge of an enlarged safety code program for our state. Textile industries, quarries, mines, other than coal, are now subject to specific codes for the first time, and important changes have been made or are being made in a large number of codes governing other specific industries, such as woodworking, and metal press work. In Ohio a new organization has been created by the Industrial Commission which will make similar researches. There must be an extension of this type of effort within the next ten years and the sound basis of rules which is secured from such research when applied through professionalized inspection must make for accident prevention.

In definite organization lies the possibility for accident prevention. Those factors which I have mentioned seem to offer the most immediate promise for organization for accident prevention. We cannot wish away the tendency toward increase in industrial accidents. We can organize cooperatively to reduce them. That is our task.

Interesting Executives in Safety

"THAT, after fifteen years of the safety movement, we should find the accident cost at a standstill or even increasing is a most striking and alarming fact."

With this declaration, Albert W. Whitney of the National Bureau of Casualty and Surety Underwriters, in an address at the Ninth Annual New York State Industrial Safety Congress, pointed out that "the executive is unquestionably the key to the situation."

The two outstanding facts of the present situation and the inevitable conclusion, as seen by Mr. Whitney, are as follows: "First, industrial accident conditions as a whole are unsatisfactory; second, in those cases where the movement has had the interest and support of executives, phenomenal results have been produced. Conclusion: new and redoubled efforts must be made to interest executives and to get them to accept responsibility."

"Some executives," he continued, "find a complete justification for the safety movement on humanitarian grounds and resent the effort to show that it also pays on economic grounds. Others appear solely interested in the question of whether it pays in dollars and cents. Both of these positions may be set down as extreme. The normal problem is not only more important but more interesting. * * * The question of whether the executive can be interested comes down then to this: What relation has safety to the problem of efficient and hence profitable production?

"At the inception of the safety movement it was generally supposed that safety would slow down production. Safety at that time was visualized largely as a matter of guards for machines, and it was thought that putting a guard on a machine would make it slower to operate and that a man that was always on the lookout not to have an accident would necessarily have less time for his work.

"To-day we have not only given up this idea but we have seen so much further into the true meaning of the safety movement that we are ready to believe exactly the contrary namely that safety and efficiency in production go together. * * *

"The relation of safety to efficiency in production is a matter that now should be investigated, not on theoretical grounds but by an appeal to the actual facts. Let us find out as a matter of cold statistical fact whether on the one hand those plants that are making

a good record for efficient production have also a good safety record and conversely, whether those plants that have a good safety record also have a good efficiency record. The safety movement has been under way now a sufficient length of time to make such a study possible; it is time that the facts were known. If such a relationship appears the facts will form the basis for an intelligent and effective appeal to executives which should bring the results that we desire."

Such a study will be made, according to Mr. Whitney, with the backing of casualty companies. "It will we hope go far to settle the question of whether the humanitarian and the economic points of view are in conflict," he said "or whether they are only different aspects of the same thing, namely an industry run right in which all good values human as well as economic are conserved. * * * The safety movement in those plants where it has had the interest and support of executives has produced remarkable results; for reasons not thoroughly understood the results as a whole are at present unfavorable; favorable results can undoubtedly be produced over the whole field if executives can be interested; executives can be interested if they can be shown that safety is part and parcel of efficient management; and when once interested they will assume the same responsibility for getting results in the safety field as in all other fields of operation."

Accident Prevention is Economy

DISCUSSING accident prevention at a recent meeting of the New York Building Congress, Alexander Kelso of the carpenters' district council and chairman of the safety committee of the Building Congress, declared that "the workmen's compensation law * * * helped to prevent accidents," because it had the effect of "getting safeguards on buildings."

Frank B. Rogers of the Fred T. Ley Company, stressed the economic as well as the humanitarian incentive to accident prevention.

"In our company," he said, "since the inauguration of protection and safety methods ten years ago, we have reduced the number of accidents 78 per cent. During this interval we have profited by reduced rates on insurance from approximately 40 per cent over the normal rate to almost or substantially a like amount under the normal rate. * * * By continually practicing and preaching safety we have gained financially ourselves, so the actuaries of insurance companies tell us, between $200,000 and $300,000 in ten years by the reduction of accidents."

Accident Increase Due to Replacing Men With Machines

DOES the introduction of labor saving methods—the increasing substitution of machines for men—tend to increase industrial accidents?

This question was discussed before the Casualty Actuarial Society by Leslie L. Hall, secretary of the rating department of the National Council on Compensation Insurance, who suggested that a thorough investigation be made of "the general tendency of labor saving methods to increase compensation costs, principally because of the relative increase in accidents wherever non-hazardous payroll is diminished by the substitution of machines for men."

Mr. Hall cited, as one of the elements causing increases in the cost per accident independently of the actual rate of occurrence of accidents, "an increase in severity of accidents due * * * to changes in industrial methods such as an increasing use of machinery." As an example of conditions causing increases in accident frequency, he included "labor saving methods; that is, more efficient methods and the increasing substitution of mechanical for manual processes."

Of the various causes of increased accidents, he declared that "the one dealing with the constant introduction of labor saving methods has been given comparatively little attention."

"This," he continued, "seems strange when one considers that the compensation movement itself grew out of the change in industrial processes and relations that developed from the substitution of machine for hand labor. Our apparent indifference to the subject might imply the belief that industrial processes are now completely stabilized or that the changes are too slight to warrant general study and investigation. As a matter of fact, the contrary seems to be the case. * * *

"Efficiency as here referred to, consists in rearranging buildings, departments, machines and processes for the purpose of securing a more direct and rapid flow of materials, the elimination of non-productive labor or operations or other lost motion. Mechanization consists in doing partially or entirely by machinery, something which has previously been done by manual effort, either alone or with slight mechanical assistance. It is not suggested that this cause

could be chiefly responsible for the sudden change in accident experience affecting industry as a whole which has been experienced during the past few years. Nevertheless, it is believed that it exists as a constant factor working towards increased loss ratios, which at times may be completely counteracted by the accident prevention and wage increases or at others may be augmented by one or more of the previously enumerated causes.

"We find examples of mechanization wherever we look. We find it in the factory, on the farm, in construction work, in the mine, in the store, the office and even the home. Witness the almost innumerable automatic and semi-automatic machines in the factories, the tractor operated by one man and pulling several plows on the farms, the machines for building concrete roads, the undercutting machines in the coal mine, the package and money carrier systems in the store, the tabulating, sorting, billing and duplicating machines in the office and the vacuum cleaner, powder washing and ironing machines in the home. These changes are constantly being introduced, but they come so gradually that the effect is not realized. * * *

"Over a substantial period of time, the tendency has been for labor to contribute relatively less to the productive powers of industry and machinery relatively more. * * *

"For industry generally, the substitution makes for an increased hazard to the employee."

Any investigation, according to Mr. Hall, should take into consideration the question whether the present trend towards mechanization of industry will be maintained.

"It is probable," he said, "that the peak of the movement has not been reached, and that it will not be reached during the life of the present generation, although there is undoubtedly a point beyond which the human element cannot profitably be replaced by machinery."

Accidents to Illegally Employed Children

Extra Compensation Proves of Aid in Enforcing State Child Labor Law

NOW that child labor legislation is, at least for the time being, a matter of state action solely, increased attention is being paid not only to the standards embodied in the various laws but also to the provisions made by the states for their enforcement.

An effective aid to child labor law enforcement, it has been found, is the inclusion of a requirement in the workmen's compensation law that extra compensation—the additional amount to be paid directly by the employer—shall be paid to minors who are injured while illegally employed.

Nearly all states that have child labor laws also have accident compensation laws. Unfortunately, most compensation laws either expressly provide that they shall not apply to minors injured while illegally employed, or have been so construed by the courts. A few states, including Wisconsin, Oregon, New York and Indiana, have provided additional compensation for such injured children—the Wisconsin act, in successful operation since 1917, calling for treble awards.

The effects of the treble compensation law were discussed in this REVIEW three years ago [1] by the chief of the Wisconsin Legislative Reference Library, who said:

"Considered as a penalty for violations of the child labor law, the treble compensation provision of the Wisconsin compensation act is by far the most effective penalty ever devised. * * * From the public point of view, the greatest advantage of the plan of putting minors illegally employed under the compensation act but giving them a larger recovery than legally employed minors, is that it furnishes a strong incentive to comply with the child labor law."

No one knows how many children illegally employed are injured annually. It is certain that the number is large. An official study in Indiana has shown that of the 859 minors injured by industrial accidents who were covered by the investigation, 448 were employed

[1] "Treble Compensation for Injured Children," by E. E. Witte, *American Labor Legislation Review*, Vol. XIII, No. 2, June, 1923, pp. 123-129.

unlawfully. In states where such children are not protected by the compensation law, reports of accidents to illegally employed children are certain to be meagre. This is indicated in two recently published reports on industrial accidents to children in Pennsylvania. A report [2] issued by the Consumers' League of Eastern Pennsylvania shows that of the 341 children under the age of 16 who were injured during the first six months of 1923, 10—or about 3 per cent—were under 14 years of age and therefore illegally employed. And these figures were taken from accident reports actually filed with the department of labor. An official study [3] by the bureau of women and children of the Pennsylvania Department of Labor and Industry, covering all **reported** accidents to minors under 18 years of age during July and August, 1925, concludes that "if the facts brought out by this investigation hold true for conditions in general, 8.5 per cent of all minors under 18 injured in industrial accidents in the state are illegally employed and therefore under the state law debarred from compensation benefits."

The official report, in emphasizing the importance of obtaining more information regarding accidents to minors which do not come under the compensation law, suggests that incorrect accident reports tend to hide illegal employment of children. And the Consumers' League report recommends the requirement of additional compensation in cases where the injured child is illegally employed.

Humanity calls for the abolition of child labor. It is appalling to see childhood exploited by industry. It is terrible to think of children of tender years killed or mangled in work accidents. But what is to be said of a state which, like Pennsylvania, specifically denies to illegally employed children even the ordinary benefits of the accident compensation law?

All compensation acts should provide for double or treble compensation to unlawfully employed minors. The stimulus to accident prevention of compensation laws should be given full scope here—by carrying the "financial incentive" to the point where employers find it additionally costly to place children, illegally, in the way of industrial accidents.

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[2] "Accidents to Working Children in Pennsylvania in 1923," by A. Estelle Lauder, Eileen F. Evans, and Beatrice McConnell, 67 pp.

[3] "Industrial Accidents and Illegal Employment of Minors," *Labor and Industry* (Harrisburg), February, 1926, p. 8.

Compensation Laws a Prime Factor in Accident Prevention

AMONG the writers who contribute to the impressive "Industrial Safety" number of *The Annals*[1] there is striking agreement that workmen's compensation legislation is a prime stimulus to accident prevention.

One writer—Lew R. Palmer of the Equitable Life Assurance Society—does put forth the claim that "the purpose to reduce accidents and save lives did not orginate in this country through governmental application of compensation." The others who touched upon the subject testify convincingly as to how greatly "the purpose to reduce accidents" has been stimulated by workmen's compensation laws into effective action.

Magnus W. Alexander, president of the National Industrial Conference Board, an organization of employers' associations, writes:

"It may truly be said that the economic motive for safety provisions received a decided impetus in the compensation legislation. This legislation for the first time placed a definite monetary value upon the more common injuries suffered by workmen in various types of employment. The employer, having been shown the probable cost of such injuries, was stimulated to reduce these costs by proper attention to accident prevention."

G. A. Orth, manager of the safety and claim departments of the American Car and Foundry Company, points out that "money compensation is, of course, saved by accident prevention" and adds:

"Accident prevention is in itself a form of insurance. It may be costly, but the cost is far less than the cost of the premiums charged by insurance companies. The American Car and Foundry Company spent $1,000,000 for accident prevention in fourteen years. It saved approximately $2,700,000 by doing this. The United States Steel Corporation expended $9,763,063 in ten years for accident prevention. It has been calculated that it thereby gained $14,609,920. It, therefore, pays."

W. H. Cameron, managing director of the National Safety Council, answers the question thus:

"What has been the significance of compensation legislation for safety? Because industry has had to pay the bills for all accidents, the larger employers began to learn of the frequency and severity of accidents, the number of lives lost in the course of pro-

[1] *The Annals of the American Academy of Political and Social Science.* Industrial Safety number, edited by Richard H. Lansburgh, Pennsylvania State Secretary of Labor and Industry. Vol. CXXIII, No. 212, January, 1926.

duction, the spoiled material, the interruption to the orderly processes of manufacture. They found, by investigation, that the majority of accidents could be prevented. These employers discovered that it was cheaper to prevent accidents than to pay for them. Therefore, the economic motive for safety received its greatest impetus from the workmen's compensation acts."

David Van Schaack, director of the bureau of inspection and accident prevention of the Aetna Life Insurance Company, says:

"The application of merit rating (under workmen's accident insurance) directly touches the pocketbook of the employer and, therefore, presents accident prevention to him in the light in which it is best calculated to make a strong appeal. Many employers, of course, are interested in accident prevention from the humanitarian standpoint, but, like insurance companies, even they would not go so far for this reason alone as they will go when it is impressed upon them how accident prevention affects their monetary interests and, therefore, enters properly into the regular conduct of their business. And, of course, there are employers who need this direct financial stimulus to lead them into the accident prevention field."

Chairman F. M. Wilcox and Secretary A. J. Altmeyer of the Wisconsin State Industrial Commission write:

"While the fundamental purpose of the workmen's compensation act is to partially indemnify the injured workman for his loss of earning capacity at the expense of industry, another valuable result of workmen's compensation has been to promote and encourage the prevention of accidents."

John B. Andrews, secretary of the American Association for Labor Legislation, in an article on the "Relation of Workmen's Compensation to Accident Prevention," quotes a New Bedford manufacturer who frankly stated at the National Safety Congress in 1925 that "our first real interest in safety work was forcibly demanded of us by passage in Massachusetts in 1912 of the workmen's compensation act." Among others whose testimony he draws upon is C. W. Price, director of the National Safety Council in 1919, who, out of unusually full experience, declared:

"State compensation laws have played a most important part in stimulating safety. * * * During the five years that I was connected with the Wisconsin Industrial Commission, accidental deaths were reduced 61 per cent. Judging from this experience, it is, I think, fair to say that one-half of the credit for this accomplishment must be given to the stimulus which the compensation law gave to the whole safety movement."

—*New York World*

LET'S SEE—WASN'T THERE A COAL STRIKE LAST WINTER

Coal Legislation Lags

TWO and a half years have passed since the United States Coal Commission made its recommendations and went out of existence, yet no remedial legislation has been enacted by Congress. By the first of June two bills—the Copeland bill in the Senate and the Parker bill in the House—had been given favorable committee action. These bills, substantially similar, meet only partially the recommendations of the Coal Commission, but they do include the essential provision for the creation of a federal fact-finding body. With the country just emerging from the ravages of a prolonged hard coal crisis and with a crisis impending in the soft coal field early next year when the "Jacksonville Agreement" expires, will Congress and the Administration fail again to meet a long-neglected duty?

Commissioner Duffy's Resignation

CHAIRMAN T. J. Duffy's retirement from the Ohio State Industrial Commission is not only an immediate loss in labor law administration that will be felt throughout the country but is also a reminder that more adequate provisions to maintain permanently effective administration are needed. Mr. Duffy, in his letter to the governor, said:

I hereby tender my resignation as a member of The Industrial Commission of Ohio, same to be effective February 15, 1926.

It is with a deep feeling of regret that I take this step. My interest in the development and administration of the Ohio Workmen's Compensation Law has been so intense that I cannot separate myself from it without a feeling of genuine sorrow. But the years are rapidly going by and the most expensive part of the training and education of my six children is yet before me. Under such circumstances one cannot look to the future with a feeling of confidence, when his means of livelihood depend upon the variable winds of political life.

My tenure of office has been much longer than that of the average public official, simply because my terms of office expired while the political party to which I belong was in power. But I know the fate that awaits me, sooner or later, if I attempt to continue in office. Therefore, I feel that in justice to my family, I should now endeavor to establish myself in some permanent business while I yet possess the strength and energy to do it and not await to be turned out of office when age has made it difficult and perhaps impossible for me to successfully take up anything else.

I am sincerely grateful for having had the honor of serving the people of Ohio as a member of the Industrial Commission and if I have acquired any experience in that capacity that can be used at any time in behalf of the Workmen's Compensation Law, I assure you that, as a private citizen, I will readily and gladly give it.

I wish to express my appreciation of the cordial and pleasant relations, personal and official, that have always existed between us and to wish you continued success in your public and private career.

To this Governor Donahey replied:

I indeed regret that you have decided to sever your connections with this important Commission. For many years you have given the Workmen's Compensation Law and its administration your best efforts and the people have faith in your integrity. However, the excuse for your action is unanswerable and I hereby accept your resignation.

Commenting on Mr. Duffy's retirement, the *Ohio State Journal* paid this tribute:

Thomas J. Duffy's resignation from the Ohio Industrial Commission will mean a real loss to the state. He has been in the state service for 15 years and

has been a member of this commission, of which he is chairman, since its establishment in 1911. Much of the success of the Ohio workmen's compensation system, which has become a source of honest pride to this state and a model for other states, is due to his careful and skillful work. The success and popularity of that system may almost be said to be a monument to Mr. Duffy.

The state loses this fine public servant because his salary is not commensurate with his worth and because, with his six children to be educated, he feels it his first duty to earn the necessary money. Salaries in the state service have not advanced in proportion to the increase of the cost of living.

Some day, it is to be hoped, we will in America give assurance of opportunity for continued service with a living salary to such faithful public servants.

Injured Worker vs. Private Insurance Company

THE plight in which injured workers all too frequently find themselves when they are at the mercy of an insurance company for compensation is shown anew in a story that now comes from Oregon.

William H. Brunson was horribly disfigured as the result of a series of accidents while at work in a lumber camp. His employer had refused to come under the state accident compensation law, and had taken out liability insurance instead. The insurance company offered Brunson $1,000 in full settlement, which he refused. He brought suit in the state circuit court but it was transferred to the United States district court at the behest of the company. It was testified that under the state fund for workmen's accident insurance, the state Industrial Accident Commission would have had to set aside a reserve of $11,539.12 to provide the benefits to which Mr. Brunson was entitled. The decision, favorable to Mr. Brunson's claim, has been appealed by the insurance company which declares that if necessary it will carry the case to the United States Supreme Court.

A printed folder was issued by Mr. Brunson "in the hope that public sentiment will in some way force the insurance company to pay the benefits which the insurance company promised my employer would be paid me and to which the District Court of the United States has decided I am entitled." In the folder he presents his picture as he appeared during the war, together with a picture showing the ghastly effects of his injury, and tells the story of the accidents and the efforts to secure compensation.

Mr. Brunson concludes his moving appeal with the hope that the people of Oregon will demand the prompt enactment of legislation that will assure full compensation protection to all injured workers and relieve seriously crippled workmen from the necessity of fighting all the way to the highest court to secure just compensation while they and their families become dependent upon charity.

Tactics of Commercial Insurance Against State Fund

ATTEMPTS by commercial casualty companies to wreck Oregon's exclusive state fund for workmen's accident insurance are described in plain terms by the State Industrial Accident Commission, in a statement recently submitted to a legislative committee which is studying workmen's compensation legislation with a view to suggesting changes in the existing law that may be considered desirable. Says the commission:

"Included in the objects for which the Oregon workmen's compensation law was originally designed was the purpose to provide a schedule of compensation benefits for injured workmen of the state without creating a burden that would handicap Oregon industries. **To accomplish this, insurance was restricted to a state accident fund and the waste and other dissatisfactions involved in insurance by private casualty companies eliminated.**

"This one feature of the Oregon compensation act accounts for the persistent efforts of private casualty companies to defeat the passage of the law by the legislature and its approval by the people, as well as their many attempts at each legislative session to so amend the compensation act as to accomplish their purpose.

"Failing in this, a campaign was started about five years ago, having for its purpose the wrecking of the state accident fund and an amendment of the act providing so-called competitive insurance. To induce employers to reject the compensation law, policies were offered proposing to protect employers from litigation under the employers' liability law and also professing and pretending to offer the same benefits to injured workmen as provided by the state compensation act. The rates quoted were much less than the actual cost as shown by the experience of the state accident fund, and even insurance men have admitted that the rates were inadequate to provide the benefits and protection assumed under the terms of their policies.

"With no effective regulation of the rates of these casualty companies by the state, **there has been a condition of insurance wild-catting in Oregon during the past five years found in no other state in this country.** In many instances advantage has been taken of the ignorance or the necessity of injured workmen and

their dependents, and of their desire to secure compensation in lump sums, by making settlements in the more serious and fatal cases for lump sums representing but a small proportion of the benefits receivable were the claimants under the compensation law, and for amounts far less than the insurance companies had promised under the terms of their insurance policies."

Ohio's exclusive state fund, too, has been the object of strenuous and unprincipled attacks by commercial insurance interests. And similarly ruthless tactics have been employed by the commercial insurance companies against competitive state funds, as in New York. American experience has shown that Oregon will best serve the interests of her workers and her industries, as well as her social well-being, by holding fast to the exclusive state fund.

Winter Construction to Stabilize Building Industry

"MORE winter construction is the acknowledged remedy for seasonal unemployment in the building industry," writes Wm. Joshua Barney of the Barney-Ahlers Construction Corporation, New York, in *The Constructor*. "Please note that I have said 'seasonal unemployment in the building industry' instead of 'seasonal unemployment in the building trades.' You have been told forcibly of the social and economic evil of seasonal unemployment for the carpenters, the bricklayers, in fact, of all those who directly do the work of our industry, and to many this problem of seasonal employment seems to be solely a picture of its hardship to the mechanics and workers in the various trades. This is but the sharp foreground of the picture, its larger perspective showing that where the mechanic is unemployed, also is unemployed the contractor, material manufacturer, the architect, and all others involved in our great industry—we one and all suffer from this curse of seasonal variation in the volume of our business. In the final horizon you see the public paying during the period of intense activity, higher wages, higher prices and larger fees to compensate for the period of enforced idleness during which the mechanic must live on his savings, the contractor carries his overhead, the architect maintains his staff, and the material manufacturers offset their plant investment and factory overhead."

International Labor Legislation

By invitation of the British Government, a conference of ministers of labor of five countries—Great Britain, France, Germany, Belgium and Italy—was held in London, March 15-19, to consider questions of interpretation of the provisions of the Draft Convention adopted by the official International Labor Conference at Washington in 1919 **limiting the hours of work in industrial undertakings to eight in the day and forty-eight in the week.**

In particular, the British Government "felt it necessary to examine the difficulties surrounding the Washington Convention and to ascertain to what extent it would be practicable to insure uniformity of interpretation, combined with assurances as to effective operation and enforcement."

As a result of the conference an agreement was drawn up, and signed by all five ministers, accepting certain interpretations as to application of the Eight-Hour Convention in case of its final ratification by their respective countries. The agreement will be reported to the Governments of the five countries "so that those Governments who have not ratified the Convention may, taking into account the agreements reached, be in a position to proceed" with formal ratification. In a statement the British Minister of Labor said: "I am sure that we all agree that the conference has been able greatly to advance the consideration of the whole question of hours of labor from the international standpoint."

Interpretation of one provision of the Eight-Hour Convention was accepted only provisionally by the British representative. This was in relation to Article XIV which declares that "the operation of the provisions of this Convention may be suspended in any country by the Government in the event of war or other emergency endangering the national safety." It was agreed unanimously that "each Government will insert Article XIV in their legislation to carry out the Convention." It was agreed also (but provisionally on the part of Great Britain) "that use can only be made of Article XIV in case of a crisis which affects the national economy to such an extent that it threatens the existence of the life of the people. An economic or commercial crisis, however, which concerns only special branches of industry cannot be regarded as endangering the national safety within the meaning of Article XIV, so that in this case the suspension of the Convention would not be justified."

The results of the London Hours Conference was discussed at a meeting in Geneva, April 21-23, of the Governing Body of the International Labor Office and the members agreed that the primary purpose

of the conference was to enable the five states to arrive at a common understanding on a number of points of interpretation in order to facilitate their ratification of the Eight-Hour Convention as it stands, and that there was no intention whatever of altering or modifying the text of the compact deliberately and definitely made at Washington. Director Albert Thomas of the International Labor Office pointed out that during the past few years there had been manifest in the chief European countries a continuous movement in favor of ratification of the Eight-Hour Convention and declared that the London agreement was a step forward to this end.

THE **Eighth Session of the International Labor Conference** opened at Geneva on May 25 to consider simplification of the inspection of emigrants on board ship. The **Ninth Session**, scheduled to meet immediately following the Eighth, has on its agenda the international codification of the rules relating to seamen's articles of agreement and general principles for the inspection of the conditions of work of seamen.

GREAT BRITAIN has ratified the Draft Conventions of the international labor conferences of the League of Nations fixing a minimum age of eighteen for the **admission of young persons to employment as trimmers or stokers on ship board**, and dealing with **compulsory medical examination of children and young persons under eighteen employed at sea.**

A RECENT royal decree in Italy provides for the ratification of the international Draft Convention establishing **a minimum age of fourteen years for the employment of children in agriculture during school hours.** Other decrees provide for the ratification of the Draft Conventions relating to the **employment of young persons at sea.**

As a result of a Recommendation adopted by the International Labor Conference in 1922, the International Labor Office has recently published a report (Series O—Migration—No. 1) on "Migration Movements, 1920-23." The study covers both oversea and continental **migration.** As stated in the introduction, the study "throws light on the development of migration after the war and offers a basis for that research into causes and effects which is essential for the adoption of a more systematic emigration policy, whether international or national in scope. In addition, countries of emigration and of immigration alike will find information on the origin, destination, and composition of the groups of migrants and thus obtain material for a policy of effective rivalry or useful collaboration, as the case may be, with other states."

IN the adoption of legislative measures to carry out the provisions of the Draft Conventions and Recommendations of the International Labor Conferences, **Bulgaria** has stepped into the front ranks of member countries of the League of Nations.

Book Reviews and Notes

Workmen's Compensation in the United States. By Ralph H. Blanchard. Series M (Social Insurance) No. 5 of Studies and Reports by the International Labor Office. *Geneva, International Labor Office,* 1926. 103 *pp.*—This is a companion volume to the earlier study (Series M No. 2) made by the International Labor Office of social insurance laws in forty-three countries. The author states that "the analysis of workmen's compensation legislation in the United States is limited to a consideration of its principal features," and that his study has made clear the need of securing more complete statistics pertaining to workmen's compensation for the entire country. The scope of the laws, benefits, security of compensation payments and administration are summarized. A liberal use of maps and tables facilitates comparisons.

Organized Labor and The Law. With Special Reference to the Sherman and Clayton Acts. By A. T. Mason. *Duke University Press, Durham,* 1925. 265 *pp.*—"Legal theory is shaped to fit economic and social facts as the judge sees them," says this Princeton University author in the preface to his volume outlining the fundamental legal doctrines which have guided the courts in defining and setting limits upon the rights of organized labor. "The rights of labor are determined quite as much, if not more, by the social and economic philosophy of the judges as by so-called immutable principles of the law."

Population Problems in the United States and Canada. Edited by Louis I. Dublin. *New York, Houghton Mifflin,* 1926. 318 *pp.*—This volume, published for the Pollak Foundation for Economic Research, is an outgrowth of papers presented at the eighty-sixth annual meeting of the American Statistical Association. It is a symposium of timely interest touching upon population problems arising out of post-war changes in industrial organization and in immigration polices. These problems involve labor supply, including the employment of women and children; the standard of living; the rate of wages; health activities, and the exploitation of our natural resources.

The British Labor Movement. By R. H. Tawney. *New Haven, Yale University Press,* 1925. 189 *pp.*—Professor Tawney analyzes the social program of the British Labor Movement into a demand for development of four main lines of policy—the establishment of minimum standards of life and of work; the expansion of commercial services, taxation to make surplus wealth available for the common good; and public ownership of foundation industries of the country. This last demand, which

is perhaps the most distinctive part of the program of the Labor Party, is illustrated by an examination of its policy in regard to coal-mining. A most significant contribution is the presentation of its attitude towards international affairs and the development of education. This brilliant discussion of the origins, organization and policy of the Labor Movement is crystalized in an analysis of its social philosophy. It realizes that the changes it desires must come gradually through legislation and the creation of suitable administrative machinery. If this analysis is correct, British Socialism will be based on the development of existing institutions and will include many different types of organization.

The American Year Book. Edited by Albert Bushnell Hart and William M. Schuyler. *New York Macmillan,* 1926. 1158 *pp.*—This "record of events and progress" for the year 1925 marks the resumption of a valuable reference book which first appeared in 1910 but which was suspended during the five years following 1919. A large section of the volume is devoted to social conditions and aims, including labor and labor legislation.

Cumulative Index to the Proceedings of the National Safety Council for the years 1919-1925. *Chicago, National Safety Council,* 1926. 87 *pp.*—An alphabetical, analytical index, by subjects and authors, covering accident prevention and allied subjects, as discussed under the auspices of the Safety Council during the seven years 1919 to 1925 inclusive.

Mainsprings of Men. By Whiting Williams. *New York, Scribner's,* 1925. 313 *pp.*—A further study of the human side of industry by the author of "What's on the Worker's Mind" and other books recording his observations of the worker's psychology while working as a laborer himself. Mr. Williams here sets forth the conclusion that the most important thing to the worker is his job—a "good" job preferably but at all costs a job.

Two printed reports prepared for the Governor's Advisory Commission for the Cloak, Suit and Skirt Industry of New York City, by Morris Kolchin, chief statistician of the commission's bureau of research, cover **"Employment and Earnings of Workers, 1925"** and **"Wages and Wage Scales, 1925."** The latter shows changes in wages during the year, and the differential between New York shops and out of town shops, together with certain comparisons between wage rates in the cloak and suit industry and in other industries. The first-named report deals with seasonal fluctuations in employment and earnings of workers, the average weekly hours and earnings of workers when employed, and the extent of employment in the cloak and suit industry in "sub-manufacturing," "inside," and "independent" shops. The author points out that the principal problem in this industry is **unemployment** rather than wage scales since "the workers do not work during considerable periods of the year."

A Gambler's Chance

NOT a few mines covered with untreated, combustible dust are in operation. It must be true that mine officials and the higher executives are now thoroughly aware of the degree of inflammability of coal dust. With little doubt therefore those who allow combustible dust to accumulate in large quantities without attenuating it with rock dust, or even so much as soaking it with water, are deliberately taking a gambler's chance in hoping for freedom from disaster.—*Coal Age.*

"A Worthy Measure"

DECLARING that the Fitzgerald bill to provide accident compensation to wage-earners in private employments in the District of Columbia is "a worthy measure, deserving of passage," the Miami (Fla.) *News* points out that "It is modeled after the workmen's compensation laws, now operated successfully in a number of states, and it is meeting the same sort of opposition that those laws combatted and overcame, organized and directed by the private liability insurance companies."

Convention Dates

International Association of Governmental Labor Officials	Columbus	June 7-10
International Association of Industrial Accident Board and Commissions	Hartford	Sept. 14-17
International Association of Public Employment Services	Montreal	Sept. 15-18
American Public Health Association	Buffalo	Oct. 11-14
National Safety Council	Detroit	Oct. 25-29

THE demand for early numbers of the AMERICAN LABOR LEGISLATION REVIEW from libraries and other institutions that wish to keep a complete file has exhausted our stock of some issues. We are in need of the following:

Vol. II, No. 1 (February, 1912)
" III, " 1 (February, 1913)
" VI, " 3 (September, 1916)
" VII, " 2 (June, 1917)
" XI, " 1 (March, 1921)

If you have any of these numbers that you are not anxious to keep will you not return them to the office of the REVIEW at 131 East 23d Street, New York City? You will be aiding in putting the material into the hands of many readers, and we shall greatly appreciate your cooperation.